

DISTRICT JUDGE.

Alfred S. Moore, of Pennsylvania, to be judge of the district court of the district of Alaska, to be assigned to division number two, vice Arthur H. Noyes, removed.

MARSHALS.

George I. Cunningham, of South Carolina, to be United States marshal for the district of South Carolina, vice Lawson D. Melton, whose term expired March 13, 1902.

Edwin R. Durham, of Missouri, to be United States marshal for the western district of Missouri. A reappointment, his term expiring June 30, 1902.

POSTMASTERS.

W. S. Waite, to be postmaster at Eastman, in the county of Dodge and State of Georgia, in place of Chauncey G. Brown. Incumbent's commission expired June 15, 1901.

L. L. Whitestone, to be postmaster at Culpeper, in the county of Culpeper and State of Virginia, in place of Robert Lee Rosson. Incumbent's commission expired March 17, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 21, 1902.

SECRETARY OF LEGATION.

Jacob Sleeper, of Massachusetts, to be secretary of the legation of the United States at Habana, Cuba.

UNITED STATES ATTORNEY.

George Randolph, of Tennessee, to be United States attorney for the western district of Tennessee.

INDIAN INSPECTOR.

John E. Edwards, of Junction, Mont., to be an Indian inspector.

RECEIVERS OF PUBLIC MONEYS.

Austin B. Dorsey, of Waterville, Wash., to be receiver of public moneys at Waterville, Wash.

Louis W. Eldridge, of Montana, to be receiver of public moneys at Lewistown, Mont.

C. H. Benton, of Montana, to be receiver of public moneys at Great Falls, Mont.

Edward A. Winstanley, of Montana, to be receiver of public moneys at Missoula, Mont.

REGISTERS OF THE LAND OFFICE.

Frank D. Miracle, of Montana, to be register of the land office at Helena, Mont.

Edward Brassey, of Montana, to be register of the land office at Lewistown, Mont.

James M. Burlingame, of Montana, to be register of the land office at Great Falls, Mont.

POSTMASTERS.

Albert Britton, to be postmaster at Decatur, in the county of Adams and State of Indiana.

Daniel E. Keen, to be postmaster at Mount Carmel, in the county of Wabash and State of Illinois.

Isaac L. Trowbridge, to be postmaster at Naugatuck, in the county of New Haven and State of Connecticut.

John W. Fitzgerald, to be postmaster at Grand Ledge, in the county of Eaton and State of Michigan.

Newton H. Fogg, to be postmaster at Sanford, in the county of York and State of Maine.

William Stackpole, to be postmaster at Saco, in the county of York and State of Maine.

Winthrop C. Fogg, to be postmaster at Freeport, in the county of Cumberland and State of Maine.

Delbert W. Wilmarth, to be postmaster at De Smet, in the county of Kingsbury and State of South Dakota.

William J. Richards, to be postmaster at Union City, in the county of Branch and State of Michigan.

John Culbertson, to be postmaster at Sumner, in the county of Lawrence and State of Illinois.

George J. Castle, to be postmaster at Carlinville, in the county of Macoupin and State of Illinois.

Charles W. Farrow, to be postmaster at Snow Hill, in the county of Worcester and State of Maryland.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 21, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MARSHAL DE ROCHAMBEAU CEREMONIAL.

The SPEAKER. By the order of the House the Chair lays before it the report of the committee on the Marshal de Rochambeau statue and the programme for Saturday next, to be printed in the RECORD for the information of the House. The Clerk will read.

The Clerk read as follows:

WASHINGTON, D. C., May 17, 1902.

Hon. D. B. HENDERSON,

Speaker of the House of Representatives.

SIR: The undersigned, to whom was committed, by the act of Congress approved February 14, 1902, the selection of a site and the supervision of the erection thereon of a statue of Marshal de Rochambeau, commander in chief of the French forces in America during the war of independence, and of the unveiling of said statue, respectfully report that they have discharged the duty imposed upon them: that the site selected is the southwest corner of Lafayette Square, where the pedestal has been erected, and that on the 24th day of May, instant, at 11 o'clock a. m., the statue of Marshal de Rochambeau will be unveiled with appropriate ceremonial, Senator HENRY C. LODGE delivering the address. Seats have been reserved for the Senators and Representatives in Congress.

We remain, sir, very respectfully, yours,

JOHN HAY, *Secretary of State.*

ELIHU ROOT, *Secretary of War.*

GEO. PEABODY WETMORE,

Chairman Committee on the Library, Senate.

JAMES T. McCLEARY,

Chairman Committee on the Library, House.

The SPEAKER. It will be unnecessary to read the programme, but it will be printed with the paper just read in the RECORD.

The programme is as follows:

The unveiling of the statue will take place at 11 a. m. There will be a battalion of French seamen, with their band, a battalion of United States engineers, and a battalion of United States marines and sailors, with the Marine Band, present at the statue. After the ceremonies these troops, together with a battalion of cavalry, a battery of field artillery, and a brigade of District of Columbia militia, will pass in review before the President.

Maj. Gen. S. B. M. Young, United States Army, will be in command of the troops.

The programme for the ceremonies of unveiling is as follows:

1. Invocation by Cardinal Gibbons.
2. Welcome by the President of the United States.
3. Unveiling of the statue by the Countess Rochambeau. Music, "The Marseillaise," by the Marine Band.
4. Presentation of the sculptor, M. Hamar.
5. Remarks by the French ambassador (in French).
6. Selection by the French band.
7. Remarks by Gen. Horace Porter, United States Ambassador to France.
8. Selection by the Marine Band.
9. Address by Senator Lodge.
10. "Star-Spangled Banner," by the French band.
11. Remarks by General Brugere.
12. Benediction by Bishop Satterlee.

Mr. McCLEARY. Mr. Speaker, for the information of the members of the House I will say that one entire stand has been reserved for the membership of this House. Ours is the west stand, the one on Jackson Place, on the farther side of the park. It will seat 700 persons. No one will be admitted without a ticket. Two tickets for each Representative, one being for himself, will be sent to him by mail, probably to-morrow. The exercises begin at 11 o'clock. There will be three entrances to the statue grounds. The entrance to the stand for the members of this House is on Jackson Place. As the crowd will be large, it is very important that members seek admission at the proper entrance.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn on Friday next it adjourn to meet on the following Monday. The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. KYLE, indefinitely, on account of sickness in family. To Mr. FORDNEY, for ten days, on account of important business.

APPLICATION OF THE STATUTE OF LIMITATIONS IN CERTAIN CASES.

Mr. BOWERSOCK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4264) providing that the statutes of limitations of the several States shall apply as a defense to actions brought in any courts for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians.

The Clerk read the bill, as follows:

Be it enacted, etc., That in all actions brought in any State court or United States court by any patentee, his heirs, grantees, or any person claiming under such patentee, for the possession or rents or profits of lands patented in severalty to the members of said tribe under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians, where a deed has been approved by the Secretary of the Interior to the land sought to be recovered, the statutes of limitations of the States in which said land is situate shall be held to apply, and it shall be a complete defense to such action that the same has not been brought within the time prescribed by the statutes of said State the same as if such action had been brought for the recovery of land patented to others than members of the Shawnee tribe of Indians.

Sec. 2. That this act shall not apply to any suits brought within one year from and after its passage.

The following amendments, recommended by the Committee on the Judiciary, were read:

Line 3, page 1, strike out "State court or."

Page 1, strike out lines 7 and 8 and "Shawnee tribe of Indians" in line 9 and insert in lieu thereof the following: "any tribe of Indians under any treaty between it and the United States of America."

Page 2, lines 4 and 5, strike out "the Shawnee" and insert in lieu thereof the word "any."

Amend the title so as to read: "An act providing that the statute of limitations of the several States shall apply as a defense to actions brought in the United States courts for the recovery of lands patented in severalty to members of any tribe of Indians under any treaty between it and the United States of America."

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like some explanation of the bill.

Mr. BOWERSOCK. Mr. Speaker, this bill is for the relief of bona fide settlers or purchasers of Indian lands in two or three counties in my State. These lands were sold by parties who had a right to sell them, and the titles were confirmed by the Secretary of the Interior. The purchasers have been in undisputed possession for a quarter of a century or more, but now there are parties who for some claimed defect bring suit, or threaten to bring suit, against these bona fide settlers, and then after disturbing their titles or casting a cloud upon them offer to settle for some nominal sum. The object of the bill is simply to have the statute of limitations apply in these cases and protect from speculators actual purchasers.

Mr. FLYNN. I would like to ask the gentleman, does this only apply to lands which have been confirmed by or received the approval of the Secretary of the Interior?

The SPEAKER. This conversation is for the benefit of the House, and gentlemen must speak louder if they wish to be heard.

Mr. BOWERSOCK. It is the intention that this shall only apply to those titles that have been approved by the Secretary of the Interior. There is a letter printed in the report from the Secretary of the Interior.

Mr. CLAYTON. Mr. Speaker, I have been requested on this side of the Chamber to make a statement in connection with the statement made by the gentleman from Kansas. I was on the subcommittee of the Judiciary Committee that investigated this matter, and it met the unanimous approval of the subcommittee and also of the full committee. The object of the bill is to prevent that sort of a system of levying blackmail against these bona fide settlers, the owners of the land, and that is the whole object of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEPHENS of Texas. Mr. Speaker, I should like to know something about the bill. I have not understood the situation at all.

The SPEAKER. The gentleman from Texas wants some information about the bill. He has not heard a word that was said. [Laughter.]

Mr. BOWERSOCK. As I have already stated, Mr. Speaker, the bill is to allow the statute of limitations to apply to quiet some Indian titles in two or three counties in the State of Kansas where deeds were approved by the Secretary of the Interior long years ago.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BOWERSOCK. Mr. Speaker, there was misapprehension in reporting the first amendment recommended by the committee, and I desire that that be disagreed to.

The SPEAKER. A vote will be taken on all the committee amendments except the first.

The question was taken, and the amendments recommended by the committee, with the exception of the first, were agreed to.

The SPEAKER. The Clerk will report the first amendment. The Clerk read as follows:

In line 3, page 1, strike out "State court or."

The amendment was considered, and disagreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BOWERSOCK, a motion to reconsider the last vote was laid on the table.

IMPROVEMENTS ON NOXUBEE RIVER, MISSISSIPPI.

Mr. FOX. I ask unanimous consent for the immediate consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 14100) to authorize the Macon Ice, Light, and Power Company to construct certain improvements on the Noxubee River in the State of Mississippi.

Be it enacted, etc., That the Macon Ice, Light, and Power Company, a corporation chartered under the laws of the State of Mississippi, be, and they are hereby, authorized, at a point on the Noxubee River just below and within 200 feet of the iron bridge on said river at and near the city of Macon, in the county of Noxubee and in said State, to construct a dam across and on said river, and to erect at or near said dam such buildings and machinery as may be necessary and suitable for the generation of electric light, the manufacture of ice, and such other products as the said corporation may be authorized by law to manufacture, and to place in said river at said dam such power wheels and other appliances as may be necessary to propel said machinery: *Provided,* That said buildings, dams, and machinery shall be constructed and erected according to such plans and specifications as may be authorized by law: *And provided further,* That the construction of said dam, buildings, etc., shall be commenced within one year from the passage of this act.

The following amendments, reported by the Committee on Interstate and Foreign Commerce, were read:

In line 3, page 1, after the word "That," insert "the consent of Congress is hereby given to."

In lines 4 and 5, page 1, strike out the words "be, and they are hereby, authorized" and insert "to construct."

In line 8, page 1, strike out the words "to construct."

Strike out the word "That," in line 2, and all of lines 3, 4, 5, 6, and 7, page 2, and add the following:

"That the structures herein authorized shall be built in accordance with such plans as may be approved by the Chief of Engineers and the Secretary of War, and until the said plans are so approved the structure shall not be commenced: *Provided further,* That any change or modification of said structures which the Secretary of War at any time in the future shall deem necessary in the interest of navigation shall be promptly made by the said company at its own expense, and the Secretary of War shall have authority to require the complete removal of the structures, if in his judgment the interests of navigation demand it, and such removal shall be made by the company at its own expense."

"Sec. 2. That the said company shall provide, in connection with said dam, such suitable fishways as may be required by the United States Fish Commission."

"Sec. 3. That this act shall be null and void unless the construction of said dam and the works incident thereto shall be commenced within one year and completed within two years from the date hereof."

"Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved."

There being no objection, the House proceeded to the consideration of the bill.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. FOX, a motion to reconsider the vote by which the bill was passed was laid on the table.

ABANDONED MILITARY RESERVATIONS IN WYOMING.

Mr. MONDELL. I ask unanimous consent for the immediate consideration of the bill which I ask the Clerk to read.

The Clerk read as follows:

An act (S. 3908) granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie military reservations, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land.

Be it enacted, etc., That each person who has exercised the right of homestead entry on the abandoned Fort Bridger Reservation, or on the Fort Sanders or the Fort Laramie abandoned military reservations, in the State of Wyoming, and is now residing on said reservations under the provisions and requirements of the homestead law, or who is the owner in fee of 160 acres thereon by purchase, shall, upon proper proof of settlement, homestead, or other legal title upon said reservations, be entitled to the right to purchase, under such rules and regulations as the Secretary of the Interior may prescribe, at \$1.25 per acre, not exceeding one quarter section of the public lands on said reservations as pasture or grazing land not otherwise disposed of: *Provided,* That land so purchased be unfitted for cultivation and homestead entry by reason of lack of water for irrigating purposes or otherwise: *And provided further,* That said purchase of pasture or grazing land shall not, with the land heretofore entered by the applicant, exceed in the aggregate 320 acres.

The amendments reported by the Committee on the Public Lands were read, as follows:

In line 3, page 1, strike out the word "exercised" and insert in lieu thereof the words "or may hereafter exercise."

In line 6, page 1, after the word "reservations," insert "or the abandoned Fort Laramie Wood Reservation, to which the homestead laws are hereby extended."

In line 6, page 1, strike out the word "now."

In line 8, page 1, after the word "is," insert the words "a resident and."

Amend the title by adding after the word "reservations," in line 2 of the title, the words "and Fort Laramie Wood Reservation;" and by adding to the title the words "and for other purposes."

Mr. RICHARDSON of Tennessee. Reserving the right to object, I ask the gentleman in charge of this bill how much land is involved in it? What is the area of these several reservations?

Mr. MONDELL. Mr. Speaker, this bill applies to four abandoned military reservations in Wyoming. The area of vacant land on the Fort Sanders Reservation is 5,000 acres; on Fort Bridger Reservation, 4,800 acres; on Fort Laramie Reservation, 25,000 acres, and on Fort Laramie Wood Reservation, about 30,000 acres. These reservations were opened to entry under the homestead law from eight to twelve years ago. Settlers went upon them and took as homesteads practically all the land which was fit for cultivation. There is no way in which settlers can acquire any additional land on the reservations adjacent to their homesteads. They now desire to purchase at \$1.25 an acre, not exceeding 160 acres for each settler, vacant land unfit for cultivation or homestead entry, provided that the aggregate of land which any settler shall own shall not exceed 320 acres, including the purchase he may make from the Government.

This is an opportunity for the Government to sell some land which is practically worthless—fit only for grazing purposes, not fit for settlement—for \$1.25 an acre.

The bill also provides for opening to homestead settlement a small abandoned reservation which has recently been surveyed, but not opened to settlement; and the law relative to the purchase of grazing lands, not exceeding 160 acres to each settler, is to apply to this reservation also.

Mr. SHAFROTH rose.

Mr. MONDELL. I yield to the gentleman from Colorado.

Mr. CLAYTON. Before the gentleman from Colorado proceeds, let me ask a question. Does this bill meet the approval of the Interior Department?

Mr. MONDELL. The Interior Department does not object to it. That Department was not disposed to pass on the question at all. In the last Congress we passed a similar bill applying to an

abandoned military reservation in Wyoming, and that act has worked very well indeed.

Mr. CLAYTON. This bill comes here as the unanimous report of the Committee on the Public Lands?

Mr. MONDELL. It does.

Mr. SHAFROTH. This bill provides, as I understand, Mr. Speaker, that the land to be taken up under it shall be grazing lands. Such land in the arid region is not worth a great deal of money unless it is contiguous to some man's farm, in which case it may be worth \$1.25 or \$1.50 an acre. But grazing land off by itself is worth very little money indeed.

Now, here is an opportunity, it seems to me, for the Government to get the full value of its land and at the same time accommodate some settlers. The very fact that the land has not been located upon for homesteads demonstrates conclusively that it is not valuable land. This being grazing land, of course a person can not erect a house there and make a living on it. It seems to me the bill ought to pass.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to ask the gentleman a question. At what price was this land originally sold to the settlers?

Mr. SHAFROTH. Under the homestead act they got it free—the 160 acres—and now they want some more land, probably for the purpose of accommodating the stock that is on their land, on their own 160 acres. This land is lying there and will likely lie there for years without the Government getting a nickel for it.

Mr. STEPHENS of Texas. How long since they took up the original tracts of land?

Mr. SHAFROTH. The first of these military reservations was opened about twelve years ago, and they have had all that time to locate homestead entries upon it and they have not done it, and the very fact that no one wants it demonstrates it is not very valuable land.

Mr. STEPHENS of Texas. Has the land been subject to entry all this time?

Mr. SHAFROTH. Yes; as I understand.

Mr. STEPHENS of Texas. As free homesteads?

Mr. SHAFROTH. As free homesteads.

Mr. STEPHENS of Texas. And no one has taken it?

Mr. SHAFROTH. No one.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was read a third time, and passed.

By unanimous consent, the title was amended so as to read as follows:

An act granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie Military reservations and Fort Laramie wood reservation, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land, and for other purposes.

On motion of Mr. MONDELL, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE COLUMBIA RIVER.

Mr. DAVIS of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2782) to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company.

The SPEAKER. The gentleman from Florida asks unanimous consent for the present consideration of the bill (S. 2782), which the Clerk will report.

The Clerk read as follows:

Senate bill 2782, to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company.

The bill was read at length.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. DAVIS of Florida, a motion to reconsider the last vote was laid on the table.

YOUNG MEN'S CHRISTIAN ASSOCIATION.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3129) for the authorization of the erection of buildings by the International Committee of Young Men's Christian Associations on the military reservations of the United States, which I will send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby given to the Secretary of War, in his discretion, to grant permission by revocable license to the Interna-

tional Committee of Young Men's Christian Associations of North America to erect and maintain, on the military reservations within the United States or its island possessions, such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require, under such regulations as the Secretary of War may impose.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill (S. 3129) which the Clerk has read. Is there objection? [After a pause.] The Chair hears none. The question now is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the last vote was laid on the table.

Mr. ESCH. Mr. Chairman, I ask unanimous consent that the bill H. R. 9969, similar in its provisions to the one just passed, lie on the table.

The SPEAKER. Without objection, that order will be made. There was no objection.

FORT NIOBRARA MILITARY RESERVATION.

Mr. NEVILLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska, which I will ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell to the village of Valentine, Nebr., the northwest quarter of section 29, and the northeast quarter of section 30, and the east one-half of the southeast quarter of section 30, and the east half of section 31, all in township 34 north of range 27 west of the sixth principal meridian, Cherry County, State of Nebraska, now a part of the Fort Niobrara Military Reservation, for the sum of \$1,440.

SEC. 2. That upon payment of said sum by the said village of Valentine the patent of the United States shall issue conveying the said lands to the said village in its corporate name, or to its duly constituted official board, as may be desired, and thereupon and thereafter title to the said land described shall be in said village of Valentine.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the bill which the Clerk has read. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this bill has been recommended by the Secretary of War.

Mr. NEVILLE. Yes. There are 720 acres involved. It was abandoned for the purpose of being sold under the act of 1885, with reference to abandoned and useless military reservations. The sale has been recommended by the Secretary of the Interior. The sale was postponed for the purpose of having this act go through Congress, in order that the village of Valentine might obtain it for a park.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. NEVILLE, a motion to reconsider the last vote was laid on the table.

DAM ACROSS ST. LAWRENCE RIVER.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11657) allowing the construction of a dam across the St. Lawrence River, which I will ask to have read.

The Clerk read as follows:

Whereas it is represented that the government of the Dominion of Canada, with a view of improving the navigation of the channel excavated through the rapids at the head of Les Galops Island, in the St. Lawrence River, proposes to construct a dam from Adams Island, in Canadian territory, to Les Galops Island, in United States territory; and

Whereas the consent of the United States to the construction of that part of the work which will be upon United States territory is desired: Therefore,

Be it enacted, etc., That consent is hereby given for the construction of the portion of the aforesaid dam which crosses or abuts upon the territory of the United States: *Provided*, That the type of the proposed dam and the plans of construction and operation thereof shall be such as will not, in the judgment of the Secretary of War, materially affect the water level of Lake Ontario or the St. Lawrence River or cause any other injury to the interests of the United States or any citizen thereof: *And provided further*, That the work of construction on United States territory shall not be commenced until plans and details of the work shall have been submitted to and approved by the Secretary of War.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill which the Clerk has just read. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

COMMUTATION OF SENTENCES OF UNITED STATES PRISONERS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14411) to regulate commutation for good conduct for United States prisoners.

The bill was read, as follows:

Be it enacted, etc., That each prisoner who has been or shall hereafter be convicted of any offense against the laws of the United States, and is confined, in execution of the judgment or sentence upon any such conviction, in any United States penitentiary, or in any penitentiary, prison, or jail of any State or Territory, for a definite term, other than for life, whose record of conduct shows that he has faithfully observed all the rules and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence to be estimated as follows, commencing on the first day of his arrival at the penitentiary, prison, or jail: Upon a sentence of not less than six months nor more than one year, five days for each month; upon a sentence of more than one year and less than three years, six days for each month; upon a sentence of not less than three years and less than five years, seven days for each month; upon a sentence of not less than five years and less than ten years, eight days for each month; upon a sentence of ten years or more, ten days for each month. When a prisoner has two or more sentences, the aggregate of his several sentences shall be the basis upon which his deduction shall be estimated.

SEC. 2. That in the case of convicts in any United States penitentiary, the Attorney-General shall have the power to restore to any such convict who has heretofore or may hereafter forfeit any good time by violating any existing law or prison regulation such portion of lost good time as may be proper, in his judgment, upon recommendations and evidence submitted to him by the warden in charge. Restoration, in the case of the United States convicts confined in State and Territorial institutions, shall be regulated in accordance with the rules governing such institutions, respectively.

SEC. 3. That this act shall take effect and be in force from and after thirty days from the date of its approval, and shall apply only to sentences imposed by courts subsequent to the time that this act takes effect, as hereinbefore provided. Prisoners serving under any sentence imposed prior to such time shall be entitled and receive the commutation heretofore allowed under existing laws. Such existing laws are hereby repealed as to all sentences imposed subsequent to the time when this act takes effect.

The following amendment recommended by the Committee on the Judiciary was read:

On page 1, in line 6, after the word "penitentiary," insert the words "or jail."

The SPEAKER. Is there objection?

There was no objection.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

SANTA FE PACIFIC RAILROAD COMPANY.

Mr. WM. ALDEN SMITH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10299) authorizing the Santa Fe Pacific Railroad Company to sell or lease its property and franchises, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the Santa Fe Pacific Railroad Company, a corporation incorporated under the act of Congress approved March 3, 1897, entitled "An act to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company," be, and it hereby is, authorized and empowered to sell or lease its railroad and other property, including all rights, powers, privileges, grants, and franchises, to the Atchison, Topeka and Santa Fe Railway Company, a corporation of the State of Kansas, its successors and assigns; but such purchaser or lessee shall take, hold, and use the railroad and property sold or leased subject to all duties, obligations, conditions, and restrictions relating thereto which at the time of such sale or lease shall be binding upon said Santa Fe Pacific Railroad Company as fully as though such sale or lease had not been made; and thereupon such purchaser or lessee shall have and enjoy all rights, powers, privileges, grants, and franchises relating to said railroad and property, or any part thereof, that were conferred by Congress upon said Santa Fe Pacific Railroad Company: *Provided, however,* That said railroad shall remain as heretofore a post route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation, and subject also to all other rights of the United States.

The following amendments, recommended by the Committee on Pacific Railroads, were read:

Page 1, line 11, strike out the word "immunities," and insert in lieu thereof the word "grants."

On page 2, line 8, strike out the word "immunities," and insert in lieu thereof the following words: "powers, privileges, grants."

Also the adding of the following new sections:

"SEC. 2. That from and after the passage of this act the said Santa Fe Pacific Railroad Company, its successors or assigns, shall pay an annual tax at the rate of \$175 per mile to the Territories of New Mexico and Arizona for each mile of track in said Territories, the same to be apportioned among the counties of said Territories in which said railroad is located according to the mileage in each county, respectively, and said taxes shall be in lieu of all other taxes on said property hereby authorized to be leased or sold, except the land-grant lands, and the shops as hereinafter otherwise provided, and the payment of said tax shall be made on or before the 1st day of December of every year after 1902, until the said Territories, or either of them, have been admitted into the United States of America as States; and that upon the admission of the said Territories of New Mexico and Arizona, or either of them, as States, the property hereby authorized to be transferred, situated therein, shall be subject to all the laws and regulations of either of the said States of New Mexico or Arizona, in the same manner and to the same extent as any other railroad property situated therein. The payment of the said \$175 a mile shall not extend to or apply to any of the land-grant lands owned by the said Santa Fe Pacific Railroad Company which are in no wise connected with the right of way and station grounds of said company, said land-grant lands to remain as now chargeable with taxes as assessed and collected under and by virtue of the laws of the said Territories of New Mexico and Arizona, and the shops situated at Albuquerque, N. Mex., including the machinery therein, and the lands upon which the same are situated, shall be assessed separately and the taxes thereon paid annually according to the laws of New Mexico.

"SEC. 3. That the sale or lease herein authorized shall be made on or before January 1, 1904; otherwise this act shall become inoperative for all purposes.

"SEC. 4. Congress shall at all times have power to alter, amend, or repeal this act."

The SPEAKER. Is there objection?

Mr. STEPHENS of Texas. We should like to have some explanation.

Mr. MADDOX. Mr. Speaker, reserving the right to object, I should like to hear this bill explained by somebody.

The SPEAKER. An explanation is desired.

Mr. WM. ALDEN SMITH. Mr. Speaker, this bill comes unanimously from the Committee on Pacific Railroads, having been very carefully considered and several hearings given. The members were present. The bill gives no new power or authority to the Atchison, Topeka and Santa Fe Railroad. It enables that company to take formally what it really owns.

The only question that has ever arisen regarding the propriety of this bill has come from the Territories of Arizona and New Mexico, which were directly affected by it. An agreement has been arrived at between the company and the Delegates from Arizona and New Mexico, which agreement is amicable and satisfactory.

I will say, if the gentleman from Georgia [Mr. MADDOX] desires, that, in 1866, the Atlantic and Pacific Railroad Company was chartered by Federal law to build a railroad to the Pacific Ocean. That company never completed the road. In fact, the company failed, and but a small portion of the line was built. The Government has no claim whatever upon it.

No one is interested in it save the present owners of the property, the Atchison, Topeka and Santa Fe Railroad Company. The Atlantic and Pacific Railroad Company failed, was sold out, and bid in by the Santa Fe Pacific Company, with no power under the law to assign or sell it again. The stock has been acquired by the Atchison, Topeka and Santa Fe, and they now hold and own it. This is simply to enable them to take it over formally, in order that their securities may extend over the entire property and in order that it may be more economically administered. It affects 550 miles of road, 153 miles in New Mexico and 397 miles in Arizona, and it concerns no other part of the line. Now, as I have said, the only people directly affected were the Territories of Arizona and New Mexico.

Mr. MADDOX. The Government has no interest in it?

Mr. WM. ALDEN SMITH. None whatever. I will say to the gentleman from Georgia [Mr. MADDOX] further, for I think it is my duty, that under the original act the Atlantic and Pacific Company were exempt from taxation. When the Santa Fe Pacific acquired the Atlantic and Pacific, they contended that they also were exempt from taxation and that the Territories of Arizona and New Mexico had no power to tax them; but, in order that the Territories might be assisted, and with a willingness to pay whatever was reasonable and fair, the owners of the Santa Fe Pacific have paid for several years to the Territories of Arizona and New Mexico taxes upon which both parties have agreed. This bill fixes the rate of taxation in this enabling act—for it is purely an enabling act—and gives them no additional power. Indeed, it compromises somewhat their original rights, because it agrees with the Territories as to the measure of taxation in the future.

Now, my friend from Arizona [Mr. SMITH] will no doubt be able to explain to the gentleman from Georgia and his colleagues his position in reference to the matter.

Mr. MANN. May I ask the gentleman a question?

Mr. WM. ALDEN SMITH. In just a minute. The unanimous report of the committee on this bill is as follows:

The Committee on Pacific Railroads, to whom was referred the bill (H. R. 10299) authorizing the Santa Fe Pacific Railroad Company to sell or lease its railroad property and franchises, and for other purposes, beg leave to submit the following report and recommend that said bill do pass with amendments:

The Santa Fe Pacific Railroad Company was incorporated under act of Congress approved March 3, 1897, entitled "An act to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company."

The road of the company extends from a connection with the rails of the Atchison, Topeka and Santa Fe Railway Company at Isleta, N. Mex., to the Colorado River, on the western boundary of Arizona, and thus forms part of the transcontinental Atchison, Topeka and Santa Fe Railway system.

The object of the bill is to permit the Santa Fe Pacific Company to sell or lease its railroad and other property to the Atchison, Topeka and Santa Fe Railway Company. The latter company is now the owner of all the capital stock and all of the outstanding bonds of the Santa Fe Pacific Company. The transfer thus authorized is intended simply to provide for a more economical administration of the property. It will enable the real owner—the Atchison, Topeka and Santa Fe Railway Company—to make a large saving in the keeping of accounts and avoid the duplication of offices, etc., and will be to the manifest advantage of the public in dealing with one single corporation, operating in its own name the entire system.

The original act of Congress creating the Santa Fe Pacific Company, above cited, does not authorize such sale or lease, and hence this additional authority is desired. As the proposed legislation will in no manner enlarge any rights held by the Santa Fe Pacific Company under existing law, nor confer any additional rights and privileges whatsoever upon the Atchison, Topeka and Santa Fe Railway Company not now possessed by the Santa Fe Pacific Company under its present charter, and as the transfer is in the line of essential economy and public convenience, the committee strongly favors its passage. The bill is recommended for the further reason that, with the amendments suggested below, the question of taxation of this railroad property in the Territories of New Mexico and Arizona, which has caused much trouble and dispute in said Territories, is removed.

While the Santa Fe Pacific Company is claimed to be exempt from taxation under the provisions of the original Atlantic and Pacific charter, it has been voluntarily paying \$125 per mile per annum tax in said Territories under

agreements with the Territorial authorities. The amendment noted below provides that the Santa Fe Pacific Company and its proposed successor in the record ownership of this property—the Atchison, Topeka and Santa Fe Company—shall hereafter pay taxes at the rate of \$175 per mile until each of said Territories is admitted as a State. The legislation as proposed is entirely satisfactory to the Delegates from the Territories. The authorities of the counties through which the railroad now runs in each of the Territories are urging the passage of this measure (as shown by dispatches and letters on file with your committee), so as to give them more revenue from these increased taxes and settle all questions of possible dispute.

Your committee recommend the passage of the bill as amended.

I now yield to the gentleman from Arizona [Mr. SMITH].

Mr. SMITH of Arizona. Mr. Speaker, the Atlantic and Pacific Railroad Company claims exemption from taxation under the transfer to it by the Santa Fe Pacific. I have contended that the exemption held by the Santa Fe Pacific did not pass to the Atlantic and Pacific. The Atchison, Topeka and Santa Fe, in extending its system, bought the Atlantic and Pacific, the road now in question here, which passes through a part of New Mexico and all of Arizona. In the transfer of the road in the first instance, as above stated, the question arose as to whether or not this road was exempt from taxation under the purchase. The Atchison, Topeka and Santa Fe have purchased the Atlantic and Pacific stock and desire to have title passed under this bill. That has been the question between me and the railroad here, I contending that that transfer did not exempt the road from taxation, and the road contending that it did. But in this compromise it is agreed, and the bill provides, that the company shall pay to the counties through which it passes a tax of \$175 a mile on the road, beside a tax on the railroad land grants. So that this law is better for the Territories than the present conditions.

Mr. FINLEY. I would like to ask the gentleman a question.

Mr. SMITH of Arizona. I yield to the gentleman.

Mr. FINLEY. The rate of taxation heretofore has been \$125 a mile?

Mr. SMITH of Arizona. Yes, sir; the road has paid a compromise tax of that amount.

Mr. FINLEY. And this bill increases it to \$175 a mile?

Mr. SMITH of Arizona. Yes, sir; it increases it to \$175 a mile on the railroad, and settles all further dispute in the courts over the question of exemption. If the court should finally decide that the road had no exemption, we would then get very little more than the \$175 per mile, as this is nearly the rate paid by roads having no exemption.

I can not say that I am entirely satisfied with the bill, but considering the necessities of the counties through which the road passes, and having received resolutions from the boards of supervisors of several of the counties favoring a bill providing for the payment of \$150 per mile, and having obtained a settlement at \$175 per mile, I was constrained to give my assent to this measure. This bill provides that when these Territories become States the railroad shall make no claim to any exemption whatever, but submits itself without controversy to the taxing power of the State as other railroads are subject.

The SPEAKER. Is there objection?

Mr. WM. ALDEN SMITH. I yield to the gentleman from New Mexico.

Mr. RODEY. Mr. Speaker, in behalf of New Mexico in reference to this bill I would like to state that New Mexico agrees to it also, and further I would say that in the act of 1866 creating the Atlantic and Pacific Railroad Congress exempted in the two Territories the right of way of this railroad from taxation. It was contended by the Territories that the right of way did not include anything but the mere land, and did not include the superstructure, the ties and the rails, the station grounds, etc. Litigation arose over the question and a case went to the Supreme Court of the United States, and it was held that the superstructure was included in the term "right of way," and therefore wholly exempted this railroad as to that property from all taxation.

After this transfer—after the foreclosure of the suit of the bondholders against the railroad, as just mentioned by the chairman of the committee—an act of Congress was passed permitting the Santa Fe Pacific Company to purchase the road, but the word "immunities" was omitted from it, so we contended thereafter that the right of way in the hands of the new company was subject to taxation. The railroad resisted this contention, but still compromised its taxes annually. In the present act, as first introduced, the missing word was supplied, but the Delegates from both Territories were not satisfied with it. That is the reason the amendment is suggested by the committee, as just read, leaving out the word "immunities," so that they will be in just the same position as before, and as we contend will not be exempt; and further, this agreement to pay \$175 tax per mile will be a reasonable tax in the future. This matter has been fully considered and agreed to by the county commissioners of the counties through which the road runs in each of the Territories, as well as by the prominent officials of New Mexico, and is recommended by the counsel who prosecuted the tax suits against the company.

The people most interested and who know best about it in New

Mexico have agreed to it as a reasonable measure, and have advised me not to resist its passage, but have urged me to help its passage. The chairman has fully explained the reasons why such an act is necessary at all. Congress, by the closing section of the act, retains control of the matter should it be found to work any injury.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. WM. ALDEN SMITH, a motion to reconsider the vote by which the bill was passed was laid on the table.

LORILLARD SPENCER.

Mr. DINSMORE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3848.

The bill was read, as follows:

A bill (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to execute, acknowledge, and deliver, in the name of the United States of America, a deed of quitclaim and release to Lorillard Spencer, of Newport, R. I., his heirs and assigns, of all the right, title, and interest which was granted to the United States of America by a deed from Elisha Brown to the United States of America, dated the 15th day of November, A. D. 1808, and recorded in volume 11 of the Land Evidence of the city of Newport, in the county of Newport, in the State of Rhode Island, at pages 11 and 12, in and to the land described in said deed, upon the payment by him of the sum of \$25.

Mr. PAYNE. Reserving the right to object, I ask for an explanation of this bill.

Mr. RAY of New York. Mr. Speaker, I will explain to my colleague, if the gentleman from Arkansas permits. The bill was introduced by Mr. BULL of Rhode Island. During the war of 1812 the Government of the United States obtained from the then owner of a little piece of land where the city of Newport now stands, on Halidon Hill, the right to erect a battery on about a quarter or half an acre of land, and the right to take the sod from the adjacent land, comprising about an acre or two. The United States never availed itself of the right. It never erected a battery there, and never has used it up to this time. The ground has all been built over, and passed into other hands.

The present owner of the property, in trying to negotiate a sale or borrow money, I have forgotten which, found this cloud upon the title, and we have inserted in the bill a provision that they shall pay the United States, I think, \$25 or \$50. The bill removes that cloud from the title. It is recommended by the War Department and the engineers in charge of all the fortifications in that section. They say it will never be used, can not be used, and is of no earthly value. But it creates a cloud on the title of the owner. That is all there is of it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. RAY of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMPENSATION OF DISTRICT SUPERINTENDENTS IN THE LIFE-SAVING SERVICE.

Mr. LOVERING. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 1026.

The bill was read, as follows:

A bill (S. 1026) to fix the compensation of district superintendents in the Life-Saving Service.

Be it enacted, etc., That from and after the passage of this act the compensation of district superintendents in the Life-Saving Service shall be \$2,000 per annum each: *Provided, however,* That in case the Secretary of the Treasury deems it necessary for any superintendent to employ a clerk, he may allow a sum not exceeding \$500 per annum for the compensation of such clerk in addition to the salary paid the superintendent.

SEC. 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

The SPEAKER. Is there objection?

Mr. CLAYTON. Reserving the right to object, I would like to ask the gentleman this question. How much does this increase the salary of the superintendents of the Life-Saving Service?

Mr. LOVERING. The superintendents now receive from \$1,600 to \$1,800 a year.

Mr. CLAYTON. What reason is there for this increase?

Mr. LOVERING. To promote the efficiency of the Life-Saving Service.

Mr. CLAYTON. It is found necessary to give more to these men—

Mr. LOVERING. Yes; it is found necessary to increase their compensation.

Mr. CLAYTON. In order to better the efficiency of the service?

Mr. LOVERING. Absolutely.

Mr. CLAYTON. One more question. Does this come from your committee with a unanimous report?

Mr. LOVERING. It comes with a unanimous report.

Mr. CANNON. Mr. Speaker, I object.

The SPEAKER. Objection is made.

HOUSE DIGEST AND MANUAL OF RULES AND PRACTICE.

Mr. HEATWOLE. Mr. Speaker, by direction of the Committee on Printing, I call up House resolution 264.

The Clerk read the resolution, as follows:

Resolved, That there be printed 2,600 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Fifty-seventh Congress, the same to be bound and distributed under the direction of the Speaker and Clerk of the House.

The resolution was considered, and agreed to.

USE OF NEW PUBLIC-PRINTING BUILDING BY THE GRAND ARMY.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to call up the bill (H. R. 14189) to permit the occupancy of the public-printing building by the Grand Army of the Republic.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Public Printer of the United States and the engineer officer in charge of the construction of the public-printing building are hereby directed and authorized to permit the soldiers of the Grand Army of the Republic to occupy the new public-printing building for sleeping purposes from the 5th day of October, 1902, to the 13th day of October, 1902, both days inclusive.

The Grand Army of the Republic to furnish the same for sleeping purposes at their own expense and to leave the building in as perfect state of cleanliness and repair as when they took it. The occupancy of the same to be under the control of the Public Printer and the engineer officer in charge.

The following committee amendments were read:

In line 4, before the word "public-printing," insert the word "new."
Also, in the same line, after the word "public-printing," insert the word "office."

Strike out the word "the" in line 5 and the word "soldiers" in line 6, and insert in lieu thereof the words "duly accredited members."

In line 7, after the word "public-printing," insert the word "office."

Also, in the same line, after the word "purposes," insert the word "only."

In line 11, before the word "Grand," insert the words "officers of the;" and in the same line strike out the word "to" and insert in lieu thereof the words "or members thereof shall."

In line 12, after the word "purposes," insert the word "only;" in the same line, after the word "expense," insert the words "and properly police and protect the same," and in the same line strike out the word "to."

In line 14 strike out the word "to" and insert in lieu thereof the word "shall."

In line 15, after the word "control," insert the words "and supervision;" so that the bill will read as follows:

Be it enacted, etc., That the Public Printer of the United States and the engineer officer in charge of the construction of the new public-printing office building are hereby directed and authorized to permit duly accredited members of the Grand Army of the Republic to occupy the new public-printing office building for sleeping purposes only from the 5th day of October, 1902, to the 13th day of October, 1902, both days inclusive.

"The officers of the Grand Army of the Republic or members thereof shall furnish the same for sleeping purposes only at their own expense, and properly police and protect the same and leave the building in as perfect state of cleanliness and repair as when they took it. The occupancy of the same shall be under the control and supervision of the Public Printer and the engineer officer in charge."

The SPEAKER. This requires unanimous consent. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to ask the gentleman from Minnesota if this bill contemplates that the Public Printing Office building will be used by the Grand Army prior to the occupation by the Government Printing Office itself?

Mr. HEATWOLE. Yes.

Mr. RICHARDSON of Tennessee. It is not supposed that by the date mentioned here it will be in such a state of completion as that the Printing Office itself can be moved into it?

Mr. HEATWOLE. No; the Public Printer and the engineer officer in charge have been consulted, and they have agreed to it.

Mr. RICHARDSON of Tennessee. It will be occupied by the Grand Army in its unfinished condition and before its occupation by the Printing Office?

Mr. HEATWOLE. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CONSOLIDATED REPORTS OF GETTYSBURG NATIONAL PARK COMMISSION.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to call up the Senate joint resolution No. 46. The Clerk read the joint resolution, as follows:

Joint resolution to provide for the printing of 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive.

Resolved, etc., That there be printed 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive, of which 2,000 shall be for the Senate, 2,000 for the House of Representatives, 1,000 for the office of the Secretary of War, and 1,000 for the Gettysburg National Park Commission.

The Clerk read the following amendments recommended by the committee:

In line 3 strike out the word "six" and insert in lieu thereof the word "five."

In line 6, between the words "which" and "thousand," strike out the word "two" and insert in lieu thereof the word "one."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

COPIES OF CONGRESSIONAL RECORD.

Mr. TATE. Mr. Speaker, I am directed by the Committee on Printing to report back and ask for immediate consideration the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tenth paragraph of the printing act of March 2, 1895, following the paragraph which reads, "The Public Printer shall furnish the CONGRESSIONAL RECORD as follows, and shall furnish gratuitously no others in addition thereto," be amended so that such tenth paragraph shall read as follows: "To the library of each of the eight Executive Departments, and to the Naval Observatory, Smithsonian Institution, United States National Museum, the Department of Labor, and Civil Service Commission, one bound copy."

Mr. TATE. I would like to have the report read.

The Clerk read the report, as follows:

Your Committee on Printing, having had under consideration Senate bill No. 2296, being an act to amend an act relating to public printing, beg to submit the following in lieu thereof, with the recommendation that it do pass:

Be it enacted, etc., That the first and tenth paragraphs of the printing act of January 12, 1895, following the paragraph which reads "The Public Printer shall furnish the CONGRESSIONAL RECORD as follows and shall furnish gratuitously no others in addition thereto," be amended by striking out of said first paragraph the word "forty-four" between the word "Senator" and "copies" in the first line and insert in lieu thereof the word "eighty-eight;" and by striking out the word "thirty" between the words "Delegated" and "copies" in the fourth line of said paragraph and insert in lieu thereof the word "sixty;" and by inserting in the ninth line of said first paragraph, after the word "copies" and before the word "to," the following: "and to the Clerk for the use of members of the House of Representatives 50 copies." And amend said tenth paragraph by inserting in the third line thereof, between the words "Museum" and "one," the words, "the Department of Labor and Civil Service Commission," and further amend said tenth paragraph by striking out in the second line the word "and" between the words "Institution" and "the."

The SPEAKER. This requires unanimous consent. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were considered, and agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HEATWOLE, a motion to reconsider the several votes by which the bills and resolutions from the Committee on Printing were passed, was, upon his motion, laid on the table.

DONATION TO ALABAMA OF SPARS OF CERTAIN SHIPS.

The SPEAKER laid before the House the bill (H. R. 10144) to donate to the State of Alabama the spars of the captured battle ships *Don Juan d'Austria* and *Almirante Oquendo*, with Senate amendments.

The Senate amendments were read.

Mr. CLAYTON. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

LOAN OF REVOLUTIONARY TROPHIES.

The SPEAKER also laid before the House the amendment of the Senate to the joint resolution (H. J. Res. 172) authorizing the Secretary of War to loan to the Morgan Memorial Association of Winchester, Va., certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.

The amendment was read, as follows:

After the word "Morgan," in line 9, insert "in such manner that their safety from unlawful removal will be assured, and their return if called for by Congress."

Mr. HAY. I move that the amendment of the Senate be concurred in.

The motion was agreed to.

PAY OF SUPERVISORS IN THE LIFE-SAVING SERVICE.

Mr. CANNON. Mr. Chairman, I objected a few moments ago to a bill which the gentleman from Massachusetts [Mr. LOVERING] asked to have passed—the bill (S. 1026) to fix the compensation of district supervisors in the Life-Saving Service. I objected under a misapprehension. I now withdraw my objection.

The SPEAKER. Is there further objection?

Mr. LOUD. Mr. Speaker, the districts of these supervisors differ very materially in extent—some not exceeding 50 or 75 miles in length; others extending over a coast line of 1,500 miles. The law as originally passed gave these supervisors graded rates of salary. This bill proposes to put them all upon the same grade. I think that a bill of this kind should not pass. The duties of these supervisors are by no means identical in extent.

A MEMBER. Oh, do not object.

Mr. LOUD. Yes; I will object to a bill of this character. I would not object to a bill increasing the salaries of these men upon a graded basis. I believe they should have an increase of salary, but I do not believe they should all receive the same salary.

Mr. LOVERING. May I be permitted to make a statement?

Mr. LOUD. I am willing to reserve the right to object.

Mr. LOVERING. It is well known that the duties of these district superintendents have increased within the last twenty years, being three or four times greater than they formerly were. In this bill as first drawn it was proposed to give these officers \$500 extra; that is, to make their salaries \$2,500 instead of \$2,000. The Senate cut down the amount to \$2,000, with a provision for an extra allowance of \$500 for clerk hire in certain cases. It is agreed on all hands—by the Department and by everybody else familiar with the circumstances—that these men are not overpaid at \$2,000; and it would be only proper that they should all be brought up to that grade, with a provision for extra clerk hire where the circumstances justify it.

Mr. LOUD. If the gentleman's bill proposed an increase of \$200 for each of these supervisors, I would not object. I believe they should have additional compensation, but I do not believe they ought all to be put upon the same plane.

The SPEAKER. Objection is made.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. LONG, for ten days, on account of important business. To Mr. MILLER, for ten days, on account of important business.

BOMBARDMENT OF TAKU FORTS IN CHINA.

Mr. HITT. I desire to present a privileged report from the Committee on Foreign Affairs. I report back with an amendment the resolution of inquiry which I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to furnish this House copies of the complete correspondence, including cable messages, between the Navy Department and Rear-Admiral Kempff, then in command of the American naval forces, in relation to the bombardment of the Taku forts in China.

The amendment reported by the Committee on Foreign Affairs was read, as follows:

After the word "hereby," in line 2, insert "if not incompatible with the public interests."

The amendment was agreed to.

The resolution as amended was adopted.

On motion of Mr. HITT, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

NORTH CAROLINA ELECTION CONTEST—FOWLER V. THOMAS.

Mr. OLMSTED. By direction of the Committee on Elections No. 2, I call up for present consideration the privileged resolutions accompanying the report of that committee upon the contested-election case of Fowler v. Thomas, from the Third Congressional district of North Carolina.

The report, with the accompanying resolutions, is as follows:

The Committee on Elections No. 2, to which was referred the contested-election case of John E. Fowler v. Charles E. Thomas, respectfully present the following report:

The Third Congressional district of North Carolina is composed of the nine counties of Bladen, Craven, Cumberland, Duplin, Harnett, Jones, Moore, Onslow, and Sampson.

The returns of the Congressional election of November 6, 1900, as certified, show that Charles E. Thomas, the contestee, received 13,541 votes, and John E. Fowler, the contestant, received 11,632 votes; scattering, 16. Mr. Thomas received an apparent plurality of 1,909 over Mr. Fowler, and a majority of 1,898 over all.

At an earlier election held in North Carolina in August, 1900, State officers were elected and a new constitution was, or is said to have been, adopted, containing provisions intended to greatly restrict the right of suffrage in said State. It did not, however, and was not intended to, take effect upon the Congressional election of that year, which was held under the preexisting constitution and laws of the State, and therefore no question arising under the new constitution is involved in this controversy.

Mr. Fowler, the contestant, was the nominee of the Populist party. Mr. Thomas, the contestee, was the nominee of the Democratic party. The Republican party had no candidate and did not, as an organization, indorse the nominee of either the Populist or Democratic party.

The contestant submits that the true result, according to the evidence and the law, should be declared as follows:

Reject the returned vote of Craven County, which gave contestee a majority of	911
Reject the returned vote of Duplin County, which gave contestee a majority of	810
Simpson County:	
Give Fowler a net gain in North Clinton of 60 votes	60
Add to contestant's vote in Honeycutts precinct 2 votes	2
Add to contestant's vote in South Clinton 4 votes	4
Add to contestant's vote in Newton Grove	6
Reject the returns from Franklin Township, a majority for contestee of 39	39
Cumberland County:	
Reject Cross Creek No. 1, which returned for contestee a majority of 89	89
Reject Cross Creek No. 2, which returned a majority for contestee of 166	166
Reject Cross Creek No. 3, which returned a majority for contestee of 170	170
Reject Cross Creek No. 4, which returned a majority for contestee of 192	192
Reject Eureka, which returned a majority for contestee of 30	30
Total	2,480

Showing a majority for contestant of 574 votes.

The above statement of contestant's contention, as quoted from his brief,

shows that in order to support his claim it is necessary to reject the entire vote of Craven County and also of Duplin County.

The first reason given for excluding the entire vote of Craven County is "that the county board of elections of Craven County, in appointing judges of election for the various voting precincts under the law of the State of North Carolina, which provides that each party shall have representation among the said judges, ignored those who had been recommended by the Republican executive committee in all the precincts in said county except Maple, Cypress, Truitts, Dover, Fort Barnwell, Core Creek, Lees Farm, First Ward, and Third Ward."

The vote in these excepted districts, as to which contestant concedes that the judges were properly appointed, was as follows:

	Thomas.	Fowler.
Maple Cypress	61	67
Truitts	154	35
Dover	90	76
Fort Barnwell	117	29
Core Creek	91	19
Lees Farm	59	106
First Ward	133	3
Third Ward	201	22
Total	915	357

Thomas over Fowler, 558.

There is evidence that in some or all of the other precincts the election officers were all Democrats, or that if Republicans they were not those recommended by the Republican executive committee. We are not satisfied that the consolidation of some of the other precincts, so as to crowd more Republican and Populist voters into one precinct than could readily vote and be counted in a single day if attempts were made to delay the voting, was done for an honest purpose. But if we were to throw out all of those districts Mr. Thomas would still have a majority in the unattacked districts as above stated, and we have been shown no reason why the vote of the unattacked districts should be rejected. Therefore, notwithstanding the evidence of considerable irregularity in some parts of this county, we are unable to reject the entire vote as requested by contestant.

We are asked to reject the entire vote of Duplin County principally upon the ground that in various precincts there were in the summer of 1900 bodies of men banded together, and known as "Red Shirts," the purpose of whose organization was, by public demonstration with guns and pistols, to terrorize and intimidate Republicans and Populists and prevent them from voting. There is some evidence of such organizations and such conduct at or prior to the August election, at which the proposed new constitution was voted upon and State officers elected, but the evidence is meager as to the extent of such terrorization, and we can hardly find that it extended throughout the entire county, even in August. There is little or no evidence that the terrorization and intimidation in August had any material effect upon the Congressional vote in November.

No evidence has been submitted from which we can compare the vote in Duplin County at the August election with the vote at the November election, but in Craven County, for which we have been given the figures, the total vote for governor in August was 1,843, while the total Congressional vote in November was 3,453. In Duplin County the total vote for Congressman in 1900 was 2,773, which is undoubtedly considerably larger than the total vote at the State election in August, the exact figures for which have not been supplied.

Contestant also complains that in Duplin County the election boards were either composed entirely of Democrats, or where Republicans or Populists were appointed they were not those recommended by the recognized authorities of said respective parties. It does not appear from the evidence that the Republican party submitted any list of those whom it desired placed upon the respective election boards. The Populists did, and asked for the appointment of a Populist on each election board. The county board, however, in some instances appointed Republicans and in others appointed Populists, but not always the persons named by the party authority.

There is evidence tending to show that in some of the districts the so-called Republicans or Populists who were appointed were of doubtful allegiance to the parties they were supposed to represent and sometimes voted mixed tickets, but we have not been pointed to any evidence that they worked or voted against the contestant.

As to some districts no cause has been shown for complaint as to the complexion of the election boards, and upon the whole we are not satisfied that the vote of the entire county can properly be rejected.

There is some evidence of a conspiracy in Craven County to so arrange certain election precincts, and in both Craven and Duplin counties to so constitute election boards as to help the Democratic party and operate to the disadvantage of Populists and Republicans.

In some parts of the district there is evidence of carelessness and irregularity and probable fraud in the conduct of the election and counting and return of the votes. The Republican party, as already stated, had no candidate. There is evidence that some Republicans voted for the contestee, and there is some evidence of Republican dissatisfaction with contestant.

The testimony in this case is voluminous. In its examinations we have not been assisted by the oral argument of counsel, the opportunity afforded by your committee having been declined. The printed brief submitted by contestant's counsel does not, in our judgment, sustain his contention.

Upon the whole case we find that the frauds and irregularities shown are not sufficient to overturn contestee's majority, and we therefore recommend the adoption of the following resolutions, viz:

Resolved, That John E. Fowler was not elected to the Fifty-seventh Congress from the Third Congressional district of the State of North Carolina, and is not entitled to a seat therein.

Resolved, That Charles E. Thomas was elected to the Fifty-seventh Congress from the Third Congressional district of the State of North Carolina, and is entitled to a seat therein.

M. E. OLMSTED, Chairman.
J. M. MILLER.
GEO. SUTHERLAND.
HENRY D. GREEN.
J. M. ROBINSON.
SAM'L L. POWERS.
F. D. CURRIER.
JOHN J. FEELY.

Mr. OLMSTED. Mr. Speaker, the Third district of North Carolina is composed of 9 counties. At the Congressional election in 1900 the sitting member, Mr. Thomas, received a plurality of 1,909. His seat was contested by Mr. Fowler, a Populist, who

alleged numerous frauds, irregularities, etc., all of which charges the committee has carefully considered.

We find that it would be impossible to unseat the contestee without throwing out the votes of two entire counties. Craven County we are asked to throw out because the members of the election boards were all of one political party. But we find that 8 districts of that county are unattacked. No objection lies to the composition of the election boards in those 8 districts. If we were to throw out the balance of the county, the contestee would still have a majority of 574 in that county in those 8 districts. We see no reasonable ground for throwing out the districts unattacked.

Again, in Duplin County, which we are asked to throw out, there is some evidence of what is called "redshirtism," intimidation, etc., by organized bands of "Red Shirts." The evidence upon that point is very meager, but so far as it goes it shows that the disorder occurred at the August election, at which State officers were elected and a State constitution is said to have been adopted. There is evidence of such an organization in August and of acts done which probably did affect the result of the August election, but the evidence is very meager as to the extent of territory embraced in this Congressional district in which intimidation prevailed even in August, and there is no evidence of such organizations operating at the November election—the Congressional election. As the vote at the November election was nearly double what it was in August, we are unable to find that anything of that sort occurring in August affected materially the November election. The Congressional election held in November, 1900, was not held under the State constitution said to have been adopted in August, and therefore no questions arising under that constitution or concerning the August election are involved in this contest.

There are evidences of some frauds and some irregularities, but granting to the contestant all that he claims in other particulars, we could still not give him a seat without throwing out the entire two counties of Craven and Duplin. He has not shown us sufficient ground for throwing out the whole vote of those two counties and disfranchising voters in those districts against which there is no charge of wrong. We therefore find by unanimous vote of the committee, the report being signed by every member save one, the gentleman from Maine [Mr. LITTLEFIELD], who did not sit, that the contestee, Mr. Thomas, is entitled to his seat. I will yield to the gentleman from Indiana [Mr. ROBINSON], but unless he desires to say something, I call for a vote upon the resolution.

THE SPEAKER. The question is on agreeing to the resolutions. The question was taken, and the resolutions agreed to.

OHIO ELECTION CONTEST—LENTZ V. TOMPKINS.

MR. OLMSTED. Mr. Speaker, I call up for present consideration privileged resolution No. 206, in the contested election case of Lentz v. Tompkins, which I will ask to have read.

The Clerk read as follows:

Resolved, That John J. Lentz was not elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is not entitled to a seat therein.

Resolved, That Emmett Tompkins was elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is entitled to a seat therein.

MR. OLMSTED. Mr. Speaker, the Twelfth Congressional district of Ohio is composed of the two counties of Fairfield and Franklin, embracing the city of Columbus. The election in that district resulted in giving, as appeared from the returns, a plurality of 18 to the sitting member, the contestee, Mr. Tompkins. At the election the Australian form of ballot was used. The law of Ohio provides that where there is any dispute about a ballot as to how it should be counted the ballot shall be put in an envelope with evidence showing whether or not it was counted, and if counted, for whom. Twenty-five only of such ballots were disputed at this election, at which over 51,000 votes were cast.

The committee has carefully considered those ballots and the laws of Ohio relating thereto, and had no difficulty in arriving at the unanimous conclusion that, counted as they should have been counted, they gave the contestee an addition of 1 vote, making his plurality 19. There are in the notice of contest sweeping charges of bribery. Because particularly of the closeness of the vote in this district we have given to the testimony and to arguments of counsel the most careful and thorough consideration possible. We find that one witness testified that he received \$200 for reporting any Republican disaffection. He testified, however, that he did not use that money to secure any Republican vote or any vote against the contestant, but that he himself voted for Mr. Lentz and used part of the money in securing another Democratic vote. Another witness testified that he received \$30 to work for Mr. Tompkins and Mr. Wickham, he being a candidate for a local office, but he testified he voted for Mr. Lentz.

Another witness testified that he received \$5 for similar purposes, but it does not appear whether he voted for anybody. In addition to those things there is evidence of a club, rejoicing in

the classic title of "The Pig's Ankle," composed of ten colored gentlemen, who testified that ordinarily they vote the Republican ticket and were inclined to do so in this election, but that, in the language of one of them, they were "out for the dough." These men testified that one Walter Thomas, commonly called "Plut," who himself testified that he was working in the interest of the contestant, offered them \$2 apiece to vote for Lentz. There is, however, no evidence that Mr. Lentz knew of that offer or that any of them voted for Mr. Lentz.

On the other hand, we do not believe that they did. There is some evidence showing that some of them received sums varying from 50 cents to \$3, presumably to vote for Mr. Tompkins, but the evidence is of such character that we are almost compelled to throw it out entirely. This same "Plut" Thomas, working for the contestant, procured affidavits from these witnesses, taking them before one of the counsel for the contestant, who was introduced to them under an assumed name and claimed to be Republican, telling them that there were considerable sums of money to be paid that they ought to have received, and if they would make these affidavits and give testimony accordingly they would see that they received compensation.

They made affidavits. It is apparent from their testimony afterwards that they did not know what was in the affidavits. One says that he did not know any more about what was in them "than a hog knows about olives." Upon the witness stand they contradicted their own affidavits and their own testimony. We are of opinion that their testimony, procured by improper means, and in itself contradictory, and in some particulars manifestly untrue, is not worthy of serious consideration. But if we believed it all, it would not change the result. As to at least half of them there is no evidence that they voted at all for anybody. As to others, two or three of them, there is evidence that they voted for Mr. Tompkins, but we are not told in what precincts they voted nor even in what counties, except as we might take judicial knowledge of the fact that the city of Columbus is in a certain county. We could not throw out the precincts in which they voted, as we have not been shown in what precincts they did vote, nor have we been shown the total vote in any precinct. If we were to accept all the evidence as true, in the light most favorable to contestant, we could not do more than throw out the 10 votes, which would still leave the contestee entitled to his seat.

There is no allegation against the integrity of any election officer or any election return. There is no allegation, and much less is there any evidence, of any improper conduct whatever on the part of the contestee. The report of the committee is unanimous. Unless the gentleman from Indiana [Mr. ROBINSON], to whom I will yield, desires to make a statement, I will call for a vote upon the resolutions.

MR. ROBINSON of Indiana. I do not desire to take up the time of the House, but the report of the committee, as unanimously indorsed by all the members of the committee, gives a fair résumé of the evidence. It is brief, and the conclusions of the committee are set forth. So I ask unanimous consent that it may be printed in the RECORD.

THE SPEAKER. The gentleman from Indiana asks unanimous consent that the report in this case may be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

The Committee on Elections No. 2, to which was referred the contested election case of John J. Lentz v. Emmett Tompkins, from the Twelfth Congressional district of the State of Ohio, submit the following report:

The Twelfth Congressional district of Ohio consists of the counties of Fairfield and Franklin. As shown by the official returns, the vote in said district at the Congressional election November 6, 1900, was as follows, viz:

County.	Republican— Emmett Tompkins.	Democrat— John J. Lentz.	Union Reform— George F. Ebner.	Prohibition— John S. Wilkins.	Social Labor— Charles C. Pome- roy.
Fairfield	3,725	5,463	42	79	
Franklin	21,980	20,224	114	270	6
Total	25,705	25,687	156	349	6
Plurality	18				

Mr. Tompkins, having an apparent plurality of 18, received the official certificate, and in pursuance thereof was sworn as a member of the Fifty-seventh Congress, and holds his seat subject to the result of the pending contest.

The ballot in use in Ohio is of the form known as Australian, and under the laws of that State each ballot about which there is any dispute or question is required to be placed by the election officers in a sealed envelope with evidence showing whether it was counted or not, and, if counted, for whom. It is remarkable that in an election at which 51,903 votes were polled there were only 25 such ballots. Some of them were counted for contestant, some for contestee, some were not counted at all, and as to others there is no evidence showing whether they were counted or not, or if counted, for whom.

Having carefully examined these ballots and the law relating thereto, your committee finds that a proper counting of them shows an increase of one vote in favor of contestee, increasing his plurality to 19.

Contestant, in his notice of contest, makes sweeping charges of bribery, and we have given careful consideration to the testimony upon this branch of the case. The most important and apparently the most reliable witness called testified that he received in all \$200 from a person upon whom he called upon the advice of contestant. As a consideration he was to give to the person who paid him the money any information that he could gather "concerning Republicans who were out of the traces," etc. He did not "use a cent of the money * * * in any manner to influence either a Democrat or a Republican or Populist or anybody else to vote against Mr. Lentz." But, on the contrary, voted for Mr. Lentz himself and used part of the money in registering a Democratic vote.

Another witness testified that he received \$30 "for work for Tompkins and Wickham" (the latter being a candidate for recorder), but voted for Mr. Lentz. Another received \$5 for the same purpose. The evidence shows that he voted, but does not show for whom, nor in what precinct.

We are unable to see that the facts elicited from these witnesses can be given such effect as to reduce contestee's plurality.

The testimony of other witnesses upon the subject of bribery related mainly to an organization of colored men known by the classic title of "The Pig's Ankle." These men, about 10 in number, ordinarily vote the Republican ticket, and were inclined to do so in the Congressional election of 1900, but, in the picturesque vernacular of one of the members, they were "out for the dough." One of them testified that a colored man named Walter (commonly called "Plut") Thomas, whose own testimony shows that he was working for contestant, offered the members of this club \$2 each to vote for Mr. Lentz, which offer was refused.

There is no evidence to show that any of them did vote for Mr. Lentz, and no evidence to show that more than half of them voted for Mr. Tompkins. Several of them have given some testimony to the effect that they received sums ranging variously from 50 cents to \$3, presumably to vote for Mr. Tompkins. Several of them made affidavits alleging that they and other persons belonging to the organization had been paid or promised certain sums in consideration of voting for him. In some instances the affidavits were prepared in advance and they were induced to sign them. In other instances they were signed when the affiants were drunk. One of them testified that he knew no more about what was in the affidavit he signed "than a hog does about olives." Upon the witness stand they contradicted, either in whole or in part, the affidavits they had previously made, and in some instances, upon cross-examination, contradicted the statements they had made in direct examination. There is abundant evidence to show that these affidavits and the testimony of these witnesses was procured by the above-mentioned "Plut" Thomas upon promise of compensation for their testimony.

The affidavits were apparently secured in advance in the hope that they would assist in holding the witnesses upon the stand to the corroboration of the statements therein contained. Thomas took the witnesses before one of the attorneys of contestant, who was introduced to them under an assumed name. He wrote the affidavits and the several persons signed them with the expectation, as they testified and as Thomas himself admits, that they were to derive pecuniary advantage from so doing. These ex parte affidavits have been submitted to your committee, but are not admissible as evidence. (*Foster v. Covode*, 2 Bart., 524; *Jones v. Mann*, 2 Bart., 474; *Knox v. Blair*, 1 Bart., 528; *Wiggington v. Pacheco*, 1 Ells., 14; *Holmes v. Wilson*, 1 Ells., 323; *Hill v. Catchings*, Rowell, 806.)

The most of the testimony of these witnesses, even upon the witness stand, was hearsay, and as such inadmissible under the common-law rules of evidence, which ought to be, and have been, applied by the House in election cases. (*Watley v. Cobb*, 53d Cong., Report 267; *Arnold v. Lea*, C. & H., 602; *Ingersoll v. Naylor*, 1 Bart., 34; *Whyte v. Harris*, 1 Bart., 257-267.)

"The vicious tendency of hearsay evidence in election cases needs no demonstration." (*Wallace v. McKinley*, Mobley, 189; *Hurd v. Romeis*, Mobley, 425.)

The testimony of these witnesses is so contradictory in character, and they have so manifestly sworn falsely, either in their affidavits or in their testimony upon the stand, or both, that but little credence can be given to any of their statements.

But, in the opinion of your committee, a still stronger and a controlling reason why their testimony must be disregarded is that not only the affidavits, which some of them made, but their testimony upon the witness stand, was procured as a result of bribes, or the offer of bribes, by said Plut Thomas.

But if the ex parte affidavits and the hearsay testimony were all admitted and all the testimony accepted as true according to the construction most favorable to contestant, it could not be found that more than 10 persons had received or been promised, either directly or indirectly, compensation to vote for Mr. Tompkins.

The integrity of the election returns is in no way attacked. No election officer has been proved, or even charged, with any irregularity whatever. No such general bribery in any precinct has been shown as ought to require the entire return to be rejected. But if there had we could not tell what precincts to throw out, as the evidence as to some of the said 10 persons does not show in what precinct or precincts they voted, and as to others does not show that they voted at all. Furthermore, as to some of the 10 who are shown to have voted, it does not appear whether they voted for Tompkins or Lentz.

If we were convinced that any precinct ought to be thrown out entirely we could not say whether to throw it out would benefit the contestant or contestee, as we have not been furnished evidence showing the vote by precincts. We have the vote by counties only. Surely we could not throw out a whole county, even if it were clearly shown that the 10 persons had been bribed and had voted.

The injustice of disfranchising more than 50,000 honest voters will at once appear. There is authority in the minority report in *Delano v. Morgan*, 2 Bart., 204, written by a former Speaker of the House, that as the law of Ohio provides only for the punishment of persons offering or receiving bribes, but does not declare their votes illegal, therefore they must be counted. But we can not consent to this doctrine, holding, as we do, that to receive and count a vote clearly shown to have been cast as the result of a bribe would be in violation of the spirit, if not the letter, of all laws tending to secure the freedom and purity of the ballot.

If satisfied from the evidence that these ten persons had been paid to vote for contestee and had so voted, your committee would not reject the entire vote of the respective precincts in which they deposited their ballots, even if we knew which precincts they were, or had returns by precincts so that we might act upon them. We would not throw out the entire precinct, but exclude the illegal votes, following *Robinson v. Harrison*, Fifty-fourth Congress, Report No. 1121; *Bowen v. Buchanan*, Rowell, 196. But the throwing out of such votes would not change the result of the election.

There is evidence of one John Tinchin that he and another person went to the office of the chairman of the State Republican committee, and, giving assumed names and representing themselves to be voters of Westerville, secured orders for railroad tickets to that place and return. They then attempted to secure money, but, failing to do so, did not obtain the railroad tickets and did not go to Westerville. They both voted for Lentz. Their testimony simply discloses an unsuccessful scheme to obtain money fraudulently from the Republican committee.

There is also the testimony of two colored persons, residing near Washington, D. C., that they went to Columbus before election. They could not, upon cross-examination, give the name of any hotel or boarding house at which they had stopped in Columbus nor the name of any person whom they had there met. They aver that they received \$25 each for going there and \$25 each after they got there. One of them testifies that he was asked to intimidate colored voters from voting against Tompkins by threatening them with social ostracism. The other testifies that he felt that he was also expected to bribe them. They both testify that they promptly and virtuously returned to their homes and performed no service whatever in Columbus.

We are unable to see that the testimony of these witnesses, even if believed, ought to influence the case. But not only is it upon its face of doubtful verity, but there is the fact that one of them, some time before going upon the witness stand, wrote to the contestee a letter from Washington, in which he said:

"I have in my possession information that will send some of Mr. Lentz's friends to prison for intimidation and false swearing. Them people who are in this conspiracy are now in your city trying to do this mean, dirty trick. I know who these people are, and I will put myself at your disposal to show these people up to their face. Please let me hear from you at once. I am in a short ride to Washington, and would be glad to see you and have a talk with you. I await an early reply."

He also wrote a letter of like import to one of the Ohio Senators, who, he assumed, might be interested in the case. Failing to hear from the contestee, they endeavored to help the cause of the contestant.

We find that 1 vote was cast for contestee by a person having no legal residence in the precinct in which he voted.

The statute governing contested Congressional elections provides that the contestant shall, within a specified time, give notice to the member whose seat he designs to contest, "and in such notice shall specify specifically the grounds upon which he relies in the contest." The member whose seat is contested must, "within thirty days after the service thereof, answer such notice admitting or denying the facts alleged therein and state specifically any other grounds upon which he urges the validity of his election." (R. S., secs. 105, 106.)

This notice and answer constitute the pleadings of the case and are intended to present clearly the issue to be determined.

The notice filed by the contestant in this case contains 29 specifications, 18 of which were declared by his counsel to have been abandoned, no testimony whatever having been offered in support of any of them. They embraced charges against persons and matters in no wise connected with the Congressional election. They were evidently not intended to have any bearing upon the contest, but simply to place upon record slurs, insinuations, and direct charges against persons not parties to the proceedings and having no opportunity to defend themselves. The reply of the contestee also contains much that is objectionable and wholly unjustifiable, except as it may be stated to be a reply in kind to the notice of contest. Contestant then filed an additional paper, not authorized by law, containing matter still more scurrilous and abusive. All three of these papers would, if contained in pleadings in any court, be suppressed as scandalous and impertinent.

Your committee has no authority to suppress or alter them, but desires as earnestly as possible to condemn the manifestly improper use of papers which are intended by the act of Congress to be the means of enlightening the committee and the House as to the precise points at issue in the contest by making them vehicles of abuse and vilification of each other by the parties to the contest and particularly of third parties in no way connected therewith.

We have carefully considered all the evidence in the case, as well as the printed arguments and typewritten briefs of counsel, and have listened to oral argument without limitation as to time. Owing to the closeness of the vote in this district, we have given unusual attention to every detail. There is no allegation in the notice of the contestant and not even an insinuation to be found in the testimony that Mr. Tompkins, the contestee, was in any way concerned in any illegal, improper, or even irregular act. As the result of the most careful consideration possible to be given to this case, we conclude that the contestee received a plurality of the legal votes cast, and therefore recommend the adoption of the following resolutions:

"Resolved, That John J. Lentz was not elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is not entitled to a seat therein.

"Resolved, That Emmett Tompkins was elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is entitled to a seat therein."

M. E. OLMSTED, Chairman.
J. M. MILLER.
GEO. SUTHERLAND.
FRANK D. CURRIER.
J. M. ROBINSON.
HENRY D. GREEN.
JOHN J. FEELY.
SAML. L. POWERS.

I did not have an opportunity to hear this case, but I do not dissent from the findings of the committee.

C. E. LITTLEFIELD.

THE SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the last vote was laid on the table.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent that the report in the case of Fowler and Thomas be printed.

THE SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the report of the committee in the North Carolina case may be printed in the RECORD. Is there objection? There was no objection.

[The report is printed elsewhere in these proceedings.]

CONTESTED-ELECTION CASE—WALKER V. RHEA, NINTH DISTRICT, VIRGINIA.

Mr. WEEKS. Mr. Speaker, I am directed by Committee on Elections No. 3 to ask consideration of the privileged report of that committee in the case of James A. Walker v. William F. Rhea, the case coming from the Ninth district of Virginia.

THE SPEAKER. The gentleman from Michigan calls up the following resolutions, which the Clerk will report.

The Clerk read as follows:

Resolved, That James A. Walker was not elected a Representative in the Fifty-seventh Congress from the Ninth district of the State of Virginia.

Resolved, That William F. Rhea was duly elected a Representative in the

Fifty-seventh Congress from the Ninth district of the State of Virginia, and is entitled to a seat therein.

Mr. WEEKS. Mr. Speaker, the committee in this case had before it a volume of evidence, and many questions were raised; but we deem it entirely unnecessary to go over them, as the report gives a full statement of all the facts in the case. The report is signed by all the members of the committee except one, who was absent, but who assents to the report. I think all that is necessary for me to do at this time is to move the adoption of the report.

The SPEAKER. The question is on agreeing to the resolutions. The resolutions were agreed to.

ORDER OF BUSINESS.

Mr. DALZELL. Mr. Speaker, I submit a privileged report.

The SPEAKER. The gentleman from Pennsylvania submits a privileged report, which will be read by the Clerk.

The Clerk read as follows:

Resolved, That immediately on the adoption of this rule and immediately after the reading of the Journal on each day thereafter until the bill herein after mentioned shall have been disposed of, the House shall resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 12199) to regulate the immigration of aliens into the United States, and after due consideration in the Committee of the Whole the same shall be reported to the House with amendments, if any, and become a continuing order until disposed of.

With the following amendment:

In lines 9 and 10 strike out the words "and become a continuing order until disposed of" and insert "this order not to interfere, however, with the consideration of revenue bills, appropriation bills, or conference reports."

Mr. DALZELL. Mr. Speaker, this resolution simply provides for the consideration of the immigration bill without any limitation as to time of debate or any interference with privileged matters.

Mr. MIERS of Indiana. Mr. Speaker, will that interfere with the special order for pension bills on Friday?

Mr. DALZELL. It will not.

Mr. BARTHOLOMT. I understand that it puts no limitation on the offering of amendments?

Mr. DALZELL. No limitation on debate or amendment.

The amendment recommended by the committee was agreed to.

The resolution as amended was agreed to.

IMMIGRATION.

Mr. SHATTUC. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of the bill H. R. 12199, the immigration bill, and pending that motion I should like to ask my friends of the committee if we can come to an agreement as to time.

Mr. RUCKER. A number of gentlemen on this side have indicated their desire to speak on this bill, and I should prefer not to make any agreement at this time. Let the debate proceed two or three hours, and then I think we can agree.

Mr. SHATTUC. I accept the proposition of the gentleman.

The SPEAKER. The Chair did not hear one word that was said. The House will please be in order.

Mr. SHATTUC. The gentleman from Missouri suggests that we go on with the debate for three or four hours, and then, perhaps, we may come to an agreement.

The SPEAKER. The question is on the motion of the gentleman from Ohio, that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BOUTELL in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of a bill on the Union Calendar, H. R. 12199, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12199) to regulate the immigration of aliens into the United States.

Mr. SHATTUC. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill may be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SHATTUC. Mr. Chairman, the bare statement that the number of immigrants received into the United States during the past eighty years equals more than one-quarter of the present population, and that more than one-half (nearly two-thirds) has been received in the last thirty years, presents in a concrete form the magnitude of the immigration problem.

In the years gone by this constant stream of immigrants has been welcomed to our shores, partly as a valuable contribution to the brawn and brain that peopled the prairies of the West and transformed them into the rich and powerful States that delight our pride and strengthen our nation to-day, and partly because a large number of them came to escape wrong, oppression, and human suffering akin to that from which the Pilgrim Fathers fled

when they crossed the ocean to found in a new and unknown land a government wherein they could have homes and worship God according to the dictates of their own consciences.

In later years, it has developed, new elements have been purposely injected into the stream which, unless checked, threaten not only to seriously pollute it, but also to thrust upon our nation and the States burdens they should not be called upon to bear.

By reason of this change the feeling of welcome which had hailed the incoming immigrant from 1821 to 1875 changed to one of alarm lest "the unguarded gate" might allow entrance too freely to elements discordant and not easily assimilated, as well as burdensome and harmful to the best interests of the country.

Hence there has arisen the demand, growing more and more insistent, that restrictive measures should be enacted to regulate the influx and sift the quality of the incoming aliens. This demand has been partly pacified by legislation of a restrictive nature during the past twenty years having the purpose, first, to prevent assisted immigration brought here under contract to perform the labor done by and take the places of workmen already here and employed in mine and field and factory; and, second, to prohibit and prevent the practice of foreign countries making the United States the dumping ground for the pauper, vicious, insane, and criminal classes of other nations.

To meet and check the importation of labor under contract the alien contract-labor law of February 26, 1885, was passed, mainly at the demand of the Knights of Labor, then the most powerful of the national organizations representing the labor of the country.

To correct the other evils realized and complained of various statutes have been enacted during the past thirty years from which results more or less beneficial have been attained.

The report and evidence submitted by a commission appointed by the Secretary of the Treasury June 17, 1891, to investigate into "the causes which operate in the several countries of Europe to incite immigration to this country" named the following as the chief causes promoting said immigration:

1. The efforts of emigration aid societies, supplemented by associations, public and private, for aiding criminals and paupers to emigrate.
2. The increased facilities, speed, and profits of alien steamship and transportation companies, who, through their numerous agents, advertise the marvelous beauty of this country, the high rate of wages that range here for labor, and the alleged quantities of land that can be had gratis from the Government, and thus make an impression on persons who do not own and can not in reason expect to secure the homes in which they live.
3. The contract-labor importers, who induce emigration for the sake of cheap labor.

This report showed that large numbers of homeless children of both sexes below the age of 16 were being shipped to the United States.

It also fully described the methods by which criminal and pauper emigrants were shipped to this country, and gave a list of 69 societies actively engaged in such work.

The findings of the investigation were summarized in the following words:

From the foregoing report it will be seen that there are many persons engaged in the business of transferring from the moribund systems of European misgovernment vast numbers of their dangerous, pauperized, diseased, decrepit, and criminal population, not only as a safety valve to their overstrained machinery, but to serve as an element of weakness in this Republic, the greatness of which they view with growing alarm. Some of these persons are the occupants or the heirs apparent to thrones, officers of charitable societies and boards, and agents of carriers by land and sea, many of the latter subsidized by foreign Governments to monopolize the ocean carrying trade. Others are within the bounds of the United States who distribute the human detritus as contract laborers, imported by them to increase dividends at the expense of wages and the dignity of labor. Still others organize these malcontents into groups to wage war on our system of government, and endeavor to bury popular sovereignty beneath a mass of up-American jargon and bomb-throwing anarchy.

The facts thus reported are amply sustained and corroborated by information gleaned by investigations of Congressional committees, special commissions, etc.

The testimony is overwhelming as to the volume of undesirable immigration even now being admitted. The demand for effective restriction is universal and imperative, and the legislation herewith submitted will be a step in the direction of meeting and correcting the evil.

Brief consideration may be properly given to the course of immigration from 1821 to 1901, as shown by official statistics and records of the Government. Examination will show a fluctuation between wide extremes at different periods.

The tide of immigration may be said to have begun in 1820, when 8,385 immigrants arrived, while by 1830 the number had increased to 23,322, with a total between 1820 and 1830, inclusive, of about 150,000.

From 1831 to 1840 almost exactly 600,000 were received.

From 1841 to 1850 there came 1,713,251.

From 1851 to 1860 the number reached 2,598,214.

In the next decade, in spite of the civil war, 2,314,824 came.

From 1871 to 1880 we received 2,812,191.

From 1881 to 1890 the high-water mark was reached, the total being 5,246,613, the number in one year, 1882, being 788,992.

In the last decade of the century, 1891 to 1900, the number was

3,687,564, while the grand total from 1820 to 1900 was 19,123,596. Add to this the immigration for the fiscal year 1901, which was 487,918, and we have a total of 19,611,514.

It must also be borne in mind that in this computation no account is taken of the cabin-passenger immigrants, of whom there came last year alone about 80,000. It would be a conservative estimate to say that for the eighty years covered by the statistics fully 2,500,000 immigrants were of this class.

Nor are there adequate records of the immigration through and from Canada, which, since 1885, would doubtless add many hundreds of thousands, thus giving a grand total not far from 22,500,000.

It is safe to assume that at least 5,000,000 alien immigrants have entered the United States since 1890. We calculate that there has been at least 80,000 cabin passengers annually who were alien immigrants and 70,000 annually from Canada. Neither the cabin passengers nor the Canadian passengers have been taken into our accounts.

The tide ebbed and flowed as the conditions for employment varied in the United States, or as famine or pestilence in foreign lands incited an exodus.

This is clearly shown by the table annexed, wherein is given the influx each year for the entire time named as far as recorded.

Number of alien passengers arrived in the United States, 1820 to 1855, and number of immigrants arrived, 1856 to 1901.

1820.....	8,385	1861.....	89,724
1821.....	9,127	1862.....	89,007
1822.....	6,911	1863.....	174,524
1823.....	6,354	1864.....	103,195
1824.....	7,912	1865.....	247,453
1825.....	10,199	1866.....	314,917
1826.....	10,897	1867.....	310,935
1827.....	18,875	1868.....	198,840
1828.....	27,382	1869.....	352,768
1829.....	22,520	1870.....	387,203
1830.....	23,292	1871.....	321,550
1831.....	40,432	1872.....	404,806
1832 (15 months).....	58,640	1873.....	459,803
1833.....	65,365	1874.....	313,539
1834.....	45,374	1875.....	227,498
1835.....	76,242	1876.....	109,986
1836.....	79,340	1877.....	141,857
1837.....	38,514	1878.....	138,409
1838.....	68,080	1879.....	177,826
1839.....	84,006	1880.....	457,257
1840.....	80,299	1881.....	689,431
1841.....	104,565	1882.....	788,962
1842.....	52,498	1883.....	608,522
1843 (9 months).....	78,615	1884.....	518,592
1844.....	114,371	1885.....	385,546
1845.....	154,416	1886.....	394,263
1846.....	234,908	1887.....	490,109
1847.....	226,527	1888.....	546,689
1848.....	297,024	1889.....	444,427
1849.....	369,980	1890.....	455,302
1850 (15 months).....	379,466	1891.....	500,319
1851.....	571,003	1892.....	579,063
1852.....	368,645	1893.....	439,730
1853.....	427,833	1894.....	285,631
1854.....	100,827	1895.....	258,536
1855.....	195,597	1896.....	343,267
1856.....	246,945	1897.....	220,832
1857.....	119,501	1898.....	229,239
1858.....	118,616	1899.....	311,715
1859.....	150,237	1900.....	448,572
1860.....		1901.....	487,918

An interesting fact is shown by comparing the immigration with the population.

By this test the maximum was in 1854, when the ratio was 16.2 immigrants to each 1,000 of population, while the average from 1847 to 1854, inclusive, was 13.65 per 1,000.

The ratio ran down rapidly until 1862, when it was 2.7 per 1,000, the lowest ratio from 1839 to 1901.

In the year 1882, when the largest number in the history of the country was received, the number per 1,000 of population was exactly 15, and in 1898, when the lowest number since 1879 came, the ratio was exactly 3 per 1,000.

For the year 1901 the ratio was 6.1 per 1,000.

There has been a marked change in the character of the immigration.

Prior to 1880 western Europe, including England, Scotland, Ireland, Wales, Germany, and the Scandinavian countries, furnished more than three-fourths of the immigration from all countries, while eastern Europe, including Italy, Austria-Hungary, Russia, and Poland, furnished less than 1 per cent thereof.

These comparisons are made with no intent to reflect upon the nationalities named, but merely to show the marked change in the source of immigration during recent years.

One other important fact remains to be mentioned. Prior to 1880 the larger portion of the immigration went inland to the farms and assisted in building up the great States of the West and Northwest.

The immigration since 1880, and especially for the past decade, has remained almost wholly in the Atlantic States and in the cities thereof; and thus, while perhaps not of such vital impor-

tance in comparison with the total population of the country, it has brought a heavy pressure of competition upon special localities, thereby giving a spur to the demand for restriction which comes to Congress with such insistence.

The significance of this phase of the question is apparent when it is noted that the census of 1900 shows nearly 40 per cent of the population of the United States living in cities of 4,000 or more population.

According to Dr. True, of the Department of Agriculture—

Between 1870 and 1890, speaking relatively and in round numbers, 2,000,000 men gave up farming and went to join the great army of toilers in our cities. Taking their families into account, 6,000,000 people from the farm were added to the population of the town.

In the single year 1895, as shown by the report of the Commissioner of Labor, of 343,267 immigrants, 224,650 went to New York, Pennsylvania, and Massachusetts, or nearly 70 per cent of the total. That same year 36 per cent of immigrants, including women and children, had no occupation and 42 per cent were farm laborers, laborers, or servants. The percentage of the same classes, respectively, for 1901 were 30.5 per cent and 53.1 per cent.

This tendency of concentration in certain States and in the cities is strikingly shown by the tables given, as follows:

TABLE I.—Relative proportions of foreign to native born, by States and Territories, arranged geographically: 1890 and 1900.

States and Territories.	Number of foreign born to each 100,000 native born.	
	1900.	1890.
The United States.....	15,886	17,314
North Atlantic Division.....	29,248	28,761
Maine.....	15,528	13,564
New Hampshire.....	27,237	23,781
Vermont.....	14,971	15,291
Massachusetts.....	43,201	41,543
Rhode Island.....	45,749	44,442
Connecticut.....	35,543	32,631
New York.....	35,400	35,447
New Jersey.....	29,748	29,479
Pennsylvania.....	18,531	19,167
South Atlantic Division.....	2,112	2,411
Delaware.....	8,080	8,473
Maryland.....	8,585	9,946
District of Columbia.....	7,780	8,870
Virginia.....	1,061	1,122
West Virginia.....	2,398	2,538
North Carolina.....	238	229
South Carolina.....	414	548
Georgia.....	563	605
Florida.....	4,722	6,223
North Central Division.....	18,753	22,126
Ohio.....	12,402	14,295
Indiana.....	5,986	7,145
Illinois.....	25,079	28,229
Michigan.....	28,822	35,089
Wisconsin.....	33,223	44,220
Minnesota.....	40,553	55,444
Iowa.....	15,884	20,044
Missouri.....	7,486	9,609
North Dakota.....	54,884	74,379
South Dakota.....	28,272	35,355
Nebraska.....	19,950	23,548
Kansas.....	9,427	11,547
South Central Division.....	2,606	2,967
Kentucky.....	2,396	3,299
Tennessee.....	886	1,146
Alabama.....	804	966
Mississippi.....	517	620
Louisiana.....	3,981	4,654
Texas.....	6,251	7,345
Indian Territory.....	1,255	
Oklahoma.....	4,098	3,618
Arkansas.....	1,101	1,280
Western Division.....	26,081	33,067
Montana.....	38,050	43,170
Wyoming.....	23,184	31,302
Colorado.....	20,322	25,509
New Mexico.....	7,499	7,555
Arizona.....	24,553	27,063
Utah.....	24,118	33,645
Nevada.....	31,304	45,043
Idaho.....	17,937	24,554
Washington.....	27,380	33,681
Oregon.....	18,905	22,012
California.....	32,853	43,243
Alaska.....	24,859	108,387
Hawaii.....	143,592	87,023

* Includes persons in the military and naval service of the United States (including civilian employees, etc.) stationed abroad, not credited to any State or Territory.

TABLE II.—Increase, by geographical divisions, in foreign-born population, comparing 1880, 1890, and 1900, and showing the percentage of increase for the last two decades; also showing the rapid increase in the North Atlantic Division.

Geographical divisions.	1900.	1890.	1880.	Increase from 1890 to 1900.		Increase from 1880 to 1890.	
				Number.	Per cent.	Number.	Per cent.
The United States.....	10,241,276	9,249,547	6,679,943	1,091,729	11.8	2,569,604	38.5
North Atlantic Division.....	4,702,796	3,888,177	2,814,520	874,619	22.5	1,073,657	38.1
South Atlantic Division.....	216,030	208,525	174,253	7,505	3.6	34,267	19.7
North Central Division.....	4,158,474	4,060,114	2,916,829	98,360	2.4	1,143,285	39.2
South Central Division.....	357,655	321,821	274,274	35,834	11.1	47,547	17.3
Western Division.....	846,321	770,910	500,062	75,411	9.8	270,848	54.2

TABLE III.—Percentage of native and foreign born of total population, by States and Territories, arranged geographically, 1890 and 1900, Census of 1900.

States and Territories.	1900.		1890.	
	Native.	Foreign.	Native.	Foreign.
The United States.....	86.3	13.7	85.2	14.8
North Atlantic Division.....	77.4	22.6	77.7	22.3
Maine.....	86.6	13.4	88.1	11.9
New Hampshire.....	78.6	21.4	80.8	19.2
Vermont.....	87	13	86.7	13.3
Massachusetts.....	69.8	30.2	70.6	29.4
Rhode Island.....	68.6	31.4	69.2	30.8
Connecticut.....	73.8	26.2	75.4	24.6
New York.....	73.9	26.1	73.8	26.2
New Jersey.....	77.1	22.9	77.2	22.8
Pennsylvania.....	84.4	15.6	83.9	16.1
South Atlantic Division.....	97.9	2.1	97.6	2.4
Delaware.....	92.5	7.5	92.2	7.8
Maryland.....	92.1	7.9	91	9
District of Columbia.....	92.8	7.2	91.9	8.1
Virginia.....	99	1	98.9	1.1
West Virginia.....	97.7	2.3	97.5	2.5
North Carolina.....	99.8	0.2	99.8	0.2
South Carolina.....	99.6	0.4	99.5	0.5
Georgia.....	99.4	0.6	99.3	0.7
Florida.....	95.5	4.5	94.1	5.9
North Central Division.....	84.2	15.8	81.9	18.1
Ohio.....	89	11	87.5	12.5
Indiana.....	94.4	5.6	93.3	6.7
Illinois.....	79.9	20.1	78	22
Michigan.....	77.6	22.4	74	26
Wisconsin.....	75.1	24.9	69.3	30.7
Minnesota.....	71.1	28.9	64.3	35.7
Iowa.....	86.3	13.7	83.1	16.9
Missouri.....	93	7	91.2	8.8
North Dakota.....	64.6	35.4	57.3	42.7
South Dakota.....	78	22	73.9	26.1
Nebraska.....	83.4	16.6	80.9	19.1
Kansas.....	91.4	8.6	89.6	10.4
South Central Division.....	97.5	2.5	97.1	2.9
Kentucky.....	97.7	2.3	96.8	3.2
Tennessee.....	99.1	0.9	98.9	1.1
Alabama.....	99.2	0.8	99	1
Mississippi.....	99.5	0.5	99.4	.6
Louisiana.....	96.2	3.8	95.6	4.4
Texas.....	94.1	5.9	93.2	6.8
Indian Territory.....	98.8	1.2	100	
Oklahoma.....	96.1	3.9	96.5	3.5
Arkansas.....	98.9	1.1	98.7	1.3
Western Division.....	79.3	20.7	75.2	24.8
Montana.....	72.4	27.6	69.8	30.2
Wyoming.....	81.2	18.8	76.2	23.8
Colorado.....	83.1	16.9	79.7	20.3
New Mexico.....	93	7	93	7
Arizona.....	80.3	19.7	78.7	21.3
Utah.....	80.6	19.4	74.8	25.2
Nevada.....	76.2	23.8	68.9	31.1
Idaho.....	84.8	15.2	80.3	19.7
Washington.....	78.5	21.5	74.8	25.2
Oregon.....	84.1	15.9	82	18
California.....	75.3	24.7	69.8	30.2
Alaska.....	80.1	19.9	48	52
Hawaii.....	41.1	58.9	53.5	46.5

*Includes persons in the military and naval service of the United States (including civilian employees, etc.) stationed abroad, not credited to any State or Territory.

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States having over 25,000 population each, and of the States or Territories in which they are situated, 1900.

Cities.	Total population.	Native born.	Foreign born.	Per cent of total population.	
				Native born.	Foreign born.
North Atlantic Division.					
Maine.....	694,466	601,136	93,330	86.6	13.4
Portland.....	50,145	39,710	10,435	79.2	20.8
New Hampshire.....	411,588	323,481	88,107	78.6	21.4
Manchester.....	56,987	32,730	24,257	57.4	42.6
Vermont.....	343,641	343,641			13.0
Massachusetts.....	2,805,346	1,959,022	846,324	69.8	30.2
Boston.....	560,892	363,763	197,129	64.9	35.1
Brockton.....	40,063	30,579	9,484	76.3	23.7
Cambridge.....	91,886	61,420	30,466	66.8	33.2
Chelsea.....	34,072	22,869	11,203	67.1	32.9
Fall River.....	104,863	54,821	50,042	52.3	47.7
Fitchburg.....	31,531	20,614	10,917	65.4	34.6
Gloucester.....	26,121	17,353	8,768	66.4	33.6
Haverhill.....	37,175	28,645	8,530	77.1	22.9
Holyoke.....	45,712	26,791	18,921	58.6	41.4
Lawrence.....	62,559	33,982	28,577	54.3	45.7
Lowell.....	94,969	53,965	40,974	56.9	43.1
Lynn.....	68,513	50,771	17,742	74.1	25.9
Malden.....	33,064	24,151	9,513	71.7	28.3
New Bedford.....	62,442	36,913	25,529	59.1	40.9
Newton.....	33,567	23,519	10,068	70	30
Salem.....	35,956	25,054	10,902	69.7	30.3
Somerville.....	61,643	44,411	17,232	72	28
Springfield.....	62,059	47,678	14,381	76.8	23.2
Taunton.....	31,036	21,896	9,140	70.6	29.4
Worcester.....	118,421	80,769	37,652	68.2	31.8
Rhode Island.....	428,556	294,037	134,519	68.6	31.4
Pawtucket.....	39,231	26,144	13,087	66.6	33.4
Providence.....	175,597	119,742	55,855	68.2	31.8
Woonsocket.....	28,204	15,686	12,518	55.6	44.4
Connecticut.....	908,420	670,210	238,210	73.8	27.2
Bridgeport.....	70,966	48,715	22,251	68.6	31.4
Hartford.....	79,850	56,092	23,758	70.2	29.8
New Britain.....	25,968	16,705	9,263	64.3	35.7
New Haven.....	108,027	77,225	30,802	71.5	28.5
Waterbury.....	45,859	30,491	15,368	66.5	33.5
New York.....	7,268,894	5,368,469	1,900,425	73.9	26.1
Albany.....	94,151	76,433	17,718	81.2	18.8
Auburn.....	30,345	24,909	5,436	82.1	17.9
Binghamton.....	39,647	35,375	4,272	89.2	10.8
Buffalo.....	352,387	248,135	104,252	70.4	29.6
Elmira.....	35,672	30,161	5,511	84.6	15.4
New York.....	3,437,202	2,167,122	1,270,080	63	37
Rochester.....	162,608	121,860	40,748	74.9	25.1
Schenectady.....	31,682	24,513	7,169	77.4	22.6
Syracuse.....	108,374	84,617	23,757	78.1	21.9
Troy.....	60,651	46,267	14,384	76.3	23.7
Utica.....	56,383	42,913	13,470	76.1	23.9
Yonkers.....	47,931	33,297	14,634	69.5	30.5
New Jersey.....	1,883,669	1,451,785	431,884	77.1	22.9
Atlantic City.....	27,838	24,649	3,189	88.5	11.5
Bayonne.....	32,722	21,936	10,786	67	33
Camden.....	75,935	65,838	10,097	86.7	13.3
Elizabeth.....	52,130	37,360	14,770	71.7	28.3
Hoboken.....	59,364	37,984	21,380	64	36
Jersey City.....	206,433	148,009	58,424	71.7	28.3
Newark.....	246,070	174,707	71,363	71	29
Passaic.....	27,777	14,877	12,900	53.6	46.4
Paterson.....	105,171	66,380	38,791	63.1	36.9
Trenton.....	73,307	56,514	16,793	77.1	22.9
Pennsylvania.....	6,302,115	5,316,865	985,250	84.4	15.6
Allegheny.....	129,896	99,680	30,216	76.7	23.3
Allentown.....	35,416	32,422	2,994	91.5	8.5

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States, etc.—Continued.

Cities.	Total population.	Native born.	Foreign born.	Per cent of total population.	
				Native born.	Foreign born.
North Atlantic Division—Cont'd.					
Pennsylvania—Continued.					
Altoona	38,973	35,672	3,301	91.5	8.5
Chester	33,988	28,914	5,074	85.1	14.9
Easton	25,238	23,103	2,135	91.5	8.5
Erie	52,733	40,776	11,957	77.3	22.7
Harrisburg	50,167	47,674	2,493	95	5
Johnstown	35,936	28,618	7,318	79.6	20.4
Lancaster	41,459	37,967	3,492	91.6	8
McKeesport	34,227	24,878	9,349	72.7	27.3
Newcastle	28,339	23,015	5,324	81.2	18.8
Philadelphia	1,293,697	998,357	295,340	77.2	22.8
Pittsburgh	321,616	236,738	84,878	73.6	26.4
Reading	78,961	73,021	5,940	92.5	7.5
Scranton	102,026	73,053	28,973	71.6	28.4
Wilkesbarre	51,721	39,533	12,188	76.4	23.6
Williamsport	28,757	26,529	2,228	92.3	7.7
York	33,708	32,404	1,304	96.1	3.9
South Atlantic Division.					
Delaware	184,735	170,925	13,810	92.5	7.5
Wilmington	76,508	66,030	10,478	86.3	13.7
Maryland	1,188,044	1,094,110	93,934	92.1	7.9
Baltimore	508,957	440,357	68,600	86.5	13.5
District of Columbia	278,718	258,599	20,119	92.8	7.2
Washington	278,718	258,599	20,119	92.8	7.2
Virginia	1,854,184	1,834,723	19,461	99	1
Norfolk	46,624	44,919	1,705	96.3	3.7
Richmond	85,050	82,185	2,865	96.6	3.4
West Virginia	958,800	936,349	22,451	97.7	2.3
Wheeling	38,878	33,417	5,461	86	14
North Carolina	1,893,810	1,834,788	5,922	96.9	3.1
South Carolina	1,340,316	1,334,788	5,528	99.6	0.4
Charleston	56,807	53,215	3,592	93.4	6.6
Georgia	2,216,331	2,203,928	12,403	99.4	0.6
Atlanta	89,872	87,341	2,531	97.2	2.8
Augusta	39,441	38,446	995	97.5	2.5
Savannah	54,244	50,810	3,434	93.7	6.3
Florida	528,542	504,710	23,832	95.5	4.5
Jacksonville	28,429	27,263	1,166	95.9	4.1
North Central Division.					
Ohio	4,157,545	3,698,811	458,734	89	11
Akron	42,728	35,601	7,127	83.3	16.7
Canton	30,667	26,649	4,018	86.9	13.1
Cincinnati	325,902	267,941	57,961	82.2	17.8
Cleveland	381,768	257,137	124,631	67.4	32.6
Columbus	125,590	113,232	12,358	90.2	9.8
Dayton	85,333	75,280	10,053	88.2	11.8
Springfield	38,253	34,942	3,311	91.3	8.7
Toledo	131,822	104,000	27,822	78.9	21.1
Youngstown	44,885	32,678	12,207	72.8	27.2
Indiana	2,516,462	2,374,341	142,121	94.4	5.6
Evansville	59,007	53,381	5,626	90.5	9.5
Fort Wayne	45,115	38,324	6,791	84.9	15.1
Indianapolis	169,164	152,042	17,122	89.9	10.1
South Bend	35,999	27,398	8,601	76.1	23.9
Terre Haute	36,673	33,721	2,952	92	8
Illinois	4,821,550	3,854,803	966,747	79.9	20.1
Chicago	1,698,575	1,111,463	587,112	65.4	34.6
East St. Louis	29,655	25,735	3,920	86.8	13.2
Joliet	29,353	20,817	8,536	70.9	29.1
Peoria	56,100	47,155	8,945	84.1	15.9
Quincy	36,252	31,291	4,961	86.3	13.7
Rockford	31,051	21,714	9,337	69.9	30.1
Springfield	34,159	29,505	4,654	86.4	13.6
Michigan	2,420,982	1,879,329	541,653	77.6	22.4
Bay City	27,628	19,143	8,485	69.3	30.7
Detroit	285,704	189,201	96,503	66.2	33.8
Grand Rapids	87,565	63,669	23,896	72.7	27.3
Jackson	25,180	21,337	3,843	84.7	15.3
Saginaw	42,345	30,910	11,435	73	27
Wisconsin	2,009,042	1,553,071	515,971	75.1	24.9
La Crosse	28,895	21,673	7,222	75	25
Milwaukee	285,315	196,324	88,991	68.8	31.2
Oshkosh	28,284	20,928	7,356	74	26
Racine	29,102	19,890	9,242	68.2	31.8
Superior	31,091	19,672	11,419	63.2	36.8
Minnesota	1,751,394	1,246,076	505,318	71.1	28.9
Duluth	52,969	31,986	20,983	60.4	39.6
Minneapolis	202,718	141,697	61,021	69.9	30.1
St. Paul	163,065	116,246	46,819	71.3	28.7

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States, etc.—Continued.

Cities.	Total population.	Native born.	Foreign born.	Per cent of total population.	
				Native born.	For- eign born.
North Central Division—Cont'd.					
Iowa	2,231,853	1,925,933	305,920	86.3	13.7
Cedar Rapids	25,656	21,178	4,478	82.5	17.5
Council Bluffs	25,802	22,079	3,723	85.6	14.4
Davenport	35,254	26,775	8,479	75.9	24.1
Des Moines	62,139	54,193	7,946	87.2	12.8
Dubuque	36,297	29,342	6,955	80.8	19.2
Sioux City	33,111	26,519	6,592	80.1	19.9
Missouri	3,106,665	2,890,286	216,379	93	7
Joplin	26,023	25,130	893	96.6	3.4
Kansas City	163,752	145,342	18,410	88.8	11.2
St. Joseph	102,979	94,555	8,424	91.8	8.2
St. Louis	575,238	463,882	111,356	80.6	19.4
North Dakota	319,146	-----	113,091	-----	35.4
South Dakota	401,570	-----	88,508	-----	22
Nebraska	1,066,900	888,953	177,947	83.4	16.6
Lincoln	40,169	34,872	5,297	86.8	13.2
Omaha	102,555	79,003	23,552	77	23
South Omaha	26,001	20,394	5,607	78.4	21.6
Kansas	1,470,495	1,343,810	126,685	91.4	8.6
Kansas City	51,418	45,041	6,377	87.6	12.4
Topeka	33,608	30,407	3,201	90.5	9.5
South Central Division.					
Kentucky	2,147,174	2,096,925	50,249	97.7	2.3
Covington	42,938	37,615	5,323	87.6	12.4
Lexington	26,339	25,445	894	96.5	3.5
Louisville	204,731	183,304	21,427	89.5	10.5
Newport	28,801	24,220	4,581	84.1	15.9
Tennessee	2,020,616	2,002,870	17,746	99.1	.9
Chattanooga	30,154	29,160	994	96.7	3.3
Knoxville	32,637	31,742	895	97.3	2.7
Memphis	102,320	97,210	5,110	95	5
Nashville	80,865	77,828	3,037	96.2	3.8
Alabama	1,828,697	1,814,105	14,592	99.2	.8
Birmingham	38,415	36,639	1,776	95.4	4.6
Mobile	38,469	36,358	2,111	94.5	5.5
Montgomery	30,346	29,680	666	97.8	2.2
Mississippi	1,551,270	-----	7,981	-----	0.5
Louisiana	1,381,625	1,328,722	52,903	95.2	4.8
New Orleans	287,104	256,779	30,325	89.4	10.6
Texas	3,048,710	2,869,353	179,357	94.1	5.9
Dallas	42,638	39,257	3,381	92.1	7.9
Fort Worth	26,688	24,895	1,793	93.3	6.7
Galveston	37,789	31,450	6,339	83.2	16.8
Houston	44,633	40,228	4,405	90.1	9.9
San Antonio	53,321	43,973	9,348	82.5	17.5
Indian Territory	362,060	-----	4,858	-----	1.2
Oklahoma	398,331	-----	15,680	-----	3.9
Arkansas	1,311,564	1,297,275	14,289	98.9	1.1
Little Rock	38,307	36,208	2,099	94.5	5.5
Western Division.					
Montana	243,329	176,262	67,067	72.4	27.6
Butte	30,470	20,260	10,210	66.5	33.5
Wyoming	92,531	-----	17,415	-----	18.8
Colorado	539,700	448,545	91,155	83.1	16.9
Denver	133,859	108,558	25,301	81.1	18.9
Pueblo	28,157	23,452	4,705	83.3	16.7
New Mexico	195,310	-----	13,625	-----	7
Albuquerque	122,931	-----	24,233	-----	19.7
Utah	276,749	222,972	53,777	80.6	19.4
Salt Lake City	53,531	40,790	12,741	76.2	23.8
Nevada	42,335	-----	10,093	-----	23.8
Idaho	161,772	-----	24,604	-----	15.2
Washington	518,103	406,739	111,364	78.5	21.5
Seattle	80,671	58,668	22,003	72.7	27.3
Spokane	36,848	29,015	7,833	78.7	21.3
Tacoma	37,714	26,682	11,032	70.7	29.3
Oregon	413,536	347,788	65,748	84.1	15.9
Portland	90,426	64,550	25,876	71.4	28.6
California	1,455,053	1,117,813	337,240	75.3	24.7
Los Angeles	102,479	82,515	19,964	80.5	19.5
Oakland	66,960	49,704	17,256	74.2	25.8
Sacramento	29,282	22,559	6,723	77	23
San Francisco	342,782	225,897	116,885	65.9	34.1
Alaska	63,592	-----	12,661	-----	19.9
Hawaii	154,001	63,221	90,780	41.1	58.9
Honolulu	39,306	21,871	17,435	55.6	44.4

TABLE V.—Source of immigration, by countries of origin, since 1821, showing the marked change in the last two decades.

Countries.	Number of immigrants.						
	Total.	1891-1900.	1881-1890.	1871-1880.	1861-1870.	1851-1860.	1821-1850.
Aggregate	19,115,221	3,687,564	5,246,613	2,812,191	2,314,824	2,598,214	2,455,815
Canada and Newfoundland	1,049,939	3,064	392,802	383,209	153,871	59,309	57,024
Germany	5,009,280	505,152	1,452,970	718,182	787,468	951,667	593,841
Great Britain	3,026,207	*272,004	807,357	548,043	606,896	423,974	367,933
Ireland	3,869,268	*888,194	655,482	436,871	435,778	914,119	1,038,824
Norway and Sweden	1,246,812	321,281	568,362	211,245	109,298	20,931	15,195
Total	14,201,006	1,489,695	3,876,973	2,297,610	2,093,311	2,370,000	2,073,417
Austria-Hungary	1,027,195	592,707	353,719	72,969	7,800	—	—
Italy	1,040,457	651,899	307,309	55,759	11,728	9,231	4,531
Russia and Poland	926,902	602,010	265,088	52,254	4,536	1,621	1,393
Total	2,994,554	1,846,616	926,116	180,982	24,064	10,852	5,924
All other countries	1,919,661	351,253	443,524	333,599	197,449	217,362	376,474

Countries.	Per cent of total immigrants at each period.					
	1891-1900.	1881-1890.	1871-1880.	1861-1870.	1851-1860.	1821-1850.
Aggregate	100	100	100	100	100	100
Canada and Newfoundland1	7.5	13.6	6.7	2.3	2.3
Germany	13.7	27.7	25.6	34	36.6	24.2
Great Britain	7.4	15.4	19.5	26.2	16.3	15
Ireland	10.5	12.5	15.5	18.8	35.2	42.3
Norway and Sweden	8.7	10.8	7.5	4.7	.8	.6
Total	40.4	73.9	81.7	90.4	91.2	84.4
Austria-Hungary	16.1	6.7	2.6	.4	—	—
Italy	17.7	5.9	2	.5	.3	.2
Russia and Poland	16.3	5	1.8	.2	.1	.1
Total	50.1	17.6	6.4	1.1	.4	.3
All other countries	9.5	8.5	11.9	8.5	8.4	15.3

* Estimated for year ending June 30, 1899.

The distribution of the increase of foreign-born population by geographical divisions of the country is shown in compact form by the following table:

Geographical division.	1890-1900.	1880-1890.
	Per cent. 100	Per cent. 100
The United States		
North Atlantic Division	80.1	41.8
South Atlantic Division	9.7	1.3
North Central Division	9	44.5
South Central Division	3.3	1.9
Western Division	6.9	10.5

From this table of percentages it appears that of the total increase in foreign born from 1880 to 1890, 44.5 per cent was in the North Central Division, whereas for the decade ending in 1900 only 9 per cent of the increase is found to be in the North Central Division as compared with 80.1 per cent in the North Atlantic Division.

This concentration in the latter division of four-fifths of the increase of the foreign-born element since 1890 is due to a very decided change in the character of the immigration in recent years, a change which began to be apparent in 1890, but which has progressed since at a very rapid rate.

Even up to 1890 the natives of Germany, Ireland, Great Britain, Canada and Newfoundland, Norway, Sweden, and Denmark practically dominated the immigration to this country, these five classes combined having contributed nearly 13,000,000 (12,853,828) out of a total of 15,427,657 immigrants to June 30, 1890.

From 1891 to 1900, however, they have contributed, out of a total of 3,687,564 immigrants, only 1,539,926, or a little more than two-fifths, as against three-fourths for the ten-year period ending in 1890, more than four-fifths for that ending in 1880, and fully nine-tenths for those ending in 1870 and 1860, respectively.

While the 161 principal cities of the country contained more than one-fourth, or 25.9 per cent of the total population in 1900, they had very nearly one-half, or 49.2 per cent, of all the foreign born.

The proportion of foreign born in the principal cities is nearly three times the proportion found in the remainder of the country outside of these cities, comparison being with the total population in both cases.

The North Atlantic Division contained 70 of the principal cities in 1900, with 48 per cent of the total population in the division, while the foreign-born population represented 64.7 per cent of the foreign born in the division. The proportion of foreign born to total population in the cities of the division is also very large,

being 30.5 per cent, or practically twice the proportion (15.4) shown for the remainder of the division.

The 12 principal cities in the State of New York contain more than three-fifths of the total population of the State and fully four-fifths of its foreign-born population.

The principal cities of Massachusetts and Rhode Island represent very nearly as large a proportion of the total population, or 58.4 per cent and 56.7 per cent, respectively, but the cities of Massachusetts contain two-thirds of its foreign element, while those in Rhode Island contain only three-fifths of all the foreign born in that State.

New Hampshire has 42.6 per cent of its foreign born in cities, compared with 34.6 per cent for Massachusetts, 34.1 per cent for New York, and 33.5 per cent for Rhode Island.

The proposed law now under discussion does not afford adequate protection in the matter of closing the Canadian frontier against the entrance that way into the United States of prohibited alien immigrants and others. This immigration comes in two classes—first, those manifested to Canadian ports from Europe, but destined for the United States, and second, those manifested from European ports to interior places in Canada, but intending secretly to cross the border and enter the United States contrary to law.

The first come openly, because they would have little difficulty of entrance at our own ports. The second come that way because, in proportion as inspection and enforcement of the laws become effective at United States ports they are driven to seek that means of evasion.

Even with the first class the inspection is lax, because upon foreign soil there is no authority to deport therefrom. With the second class the United States authorities are practically defenseless, since the immigrant is ostensibly destined to Canada and not to the United States.

Having landed in Canada, there is no authority to inspect, as the immigrant is manifested to a Canadian interior point. If he subsequently sneaks across the border and is arrested by the United States commissioner, he can not be deported through Canada, for lack of legal authority. It is abundantly proved that the greater part of the infirm people who come to us, the aliens who drift into our institutions, come by way of Canada.

Indeed, immigrants rejected at American ports have been subsequently found in New York City, Philadelphia, Baltimore, etc., having returned to this country through the Canadian loophole.

Whatever inspection there is in Canada or at European ports exists by the sufferance of the steamship companies, and has no legal binding force.

It has proved an entire failure and even a disadvantage in the enforcement of the immigration laws.

The immigration laws of this country are flagrantly violated. These Canadian steamship agencies in Europe do not hesitate to advertise openly and guarantee to their passengers (the good, bad, and indifferent ones) that they shall be safely delivered into the United States and no questions asked if they will only take passage via Canada. I have their bills so advertising.

I will read for the benefit of the House a letter I received March 14, this year, from the Secretary of the Treasury on this matter. It is self-explanatory.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 13, 1902.

Hon. W. B. SHATTUCK,
Chairman Committee on Immigration and Naturalization,
House of Representatives.

DEAR SIR: As it is understood that your committee has under consideration various measures with relation to the immigration of aliens into the United States, I have the honor to inclose herewith for your information copy of a letter from the United States Commissioner of Immigration at St. John, New Brunswick, together with a circular setting forth the agreement referred to therein, from which you will see some of the difficulties, from an administrative point of view, in enforcing the existing immigration laws as to aliens coming through foreign contiguous territory.

Very truly, yours,

L. M. SHAW,
Secretary of the Treasury.

And now I will read the letter referred to by the Secretary of the Treasury:

No. 1276.] TREASURY DEPARTMENT,
OFFICE OF UNITED STATES COMMISSIONER OF IMMIGRATION,
St. John, New Brunswick, March 11, 1902.
COMMISSIONER-GENERAL OF IMMIGRATION,
Washington, D. C.

SIR: I have the honor to report the following facts in connection with the difficulties experienced here and at Halifax in having excluded immigrants deported:

On February 24 the steamship *Tunisian* arrived at Halifax, bringing, among others, three Finlanders who were suffering with trachoma and who were excluded. Marias Anderson, a Dane, also came on this vessel and was allowed to proceed to this port, where he was examined by Dr. Heiser, who stated that Anderson was suffering with lupus of the skin, whereupon he was excluded as likely to become a public charge and ordered deported.

Last Monday, upon arrival of the steamship *Tunisian* at Halifax on her outward trip, we had these three Finlanders locked up in a room of the immigration building and requested the company's agent to carry out the order of deportation. He said that under instructions from Messrs. H. & A. Allan he could only ask the immigrants if they were willing to return, and if they were, to inform them that the company would return them free of charge; if not, that the company could not and would not force them to be deported.

As soon as Anderson was excluded at this port the company was served with an order of deportation, but it appears that they never made any attempt to detain him here, and he was allowed by them to go at his pleasure and has disappeared.

The Allan Company persistently insists that under the present agreement they are not compelled to use force in deporting excluded immigrants, and that their whole duty is performed when they tell the immigrant that if he desires to return they will take him back free, but that nobody can compel him to return.

This scene has been enacted here and at Halifax time and again, and especially with Allan Line passengers.

When the steamship *Lake Superior* arrived here on February 24 I had the doctor examine the passengers at the gang plank before leaving the vessel, and the objectionable ones were not permitted to land, but were locked up and kept on board until the vessel sailed for Liverpool, on the 1st instant. In this manner we were able to deport the eight immigrants pronounced objectionable by the doctor, but since then it has been stated in the public press that the * * * Immigration Society have engaged counsel and that if anyone is held on board the vessel and not permitted to land a suit will be instituted to compel the steamship company to release them and permit them to land.

However, it is my intention to have the passengers examined by the doctor on board again on the arrival of the steamship *Lake Ontario*, due about the 13th or 14th instant.

Notwithstanding this, I desire to invite attention of the Department to the fact that it is absolutely impossible to secure any deportations at the hands of the Allen Line unless the immigrant is willing to return, which condition is of course ridiculous to consider, as no immigrant will voluntarily consent to deportation.

The Elder-Dempster Company claim that when the passengers are once landed they can not use force to get them back on board, as there is no authority for doing so in the Canadian law.

These facts are furnished for the information of the Department, and it is requested that instructions be given as to the proper course to pursue relative to excluded immigrants when the company refuses to force them to return, as this office has noted under the supposition that section 3 of the present agreement contemplated that the "steamship company bringing such aliens shall be required to return them to the countries from which they respectively came."

Respectfully,

JOHN THOMAS, Commissioner.

There is no doubt at all that these immigrants are by this time across the border into the United States; and this is no isolated case. Had these immigrants been posted on the other side of the ocean they would have purchased their steamer tickets only to some Canadian place, and then they would not have been inspected by our people at all. Our representatives are permitted to inspect only such immigrants as are named in the manifest which is furnished by the steamer (a list of the names of those coming to this country). Yet this very steamship company which refused to deport these rejected immigrants has a paid representative in this city for the purpose of influencing legislation so it may continue to dump at our borders the scum and refuse of Europe and Asia.

It is a fact that most of the steamship companies delivering passengers at New York, Philadelphia, etc., are doing all they

can do to keep immigrants likely to be denied entrance into the United States from securing passage on their boats, while these Canadian lines solicit the undesirable and vicious to be taken, with a view of entrance to this country. This is not all. It can be proven that one of the Canadian railways is in the Chinese passenger traffic regularly, and is assisting the smugglers by stopping its passenger trains several miles outside of a certain city and discharging the Chinese in the country, where wagons, built especially for the purpose, take whole gangs over the border under cover of the night, and in this way thousands of Chinese enter the United States annually.

And how natural it is that these Canadian railways and the steamship lines doing business to and via Canada, as well as the very few American railways interested in this Canadian business, should select as their representative the same gentleman who represents the American Asiatic Association before the House and Senate committees in trying to secure by law what notoriously is done in the face of the law—free entrance of the Chinese to this country without restraint. It appears to be a consolidation of all the interests antagonistic to our laws and to the manifest wishes of the American people.

If the Immigration Restriction League of Boston, Mass., which is working hard to secure the passage of a law which will require every alien immigrant coming into this country to be able to read, would lend its aid in securing legislation which will close the "unguarded gates" on the Canadian frontier against the free and easy entrance to this country from Europe of alien immigrants who are idiots, insane persons, paupers, persons likely to become a public charge, persons afflicted with a loathsome or with a dangerous contagious disease, persons who have been convicted of a felony or other crime, polygamists, anarchists, prostitutes, or persons who have been induced to come to the United States by promises of securing work, then I am sure this House would be more likely to agree to legislation for a still further restrictive feature of our immigration laws which could and would be enforced in New York and elsewhere. But it is useless and foolish to further add restrictive measures to our immigration laws until this Government is enabled to enforce its present laws at the Canadian frontier.

I am well aware that the representatives of the transportation lines which are benefited by this "unguarded gate" (the Canadian frontier) assert that the number of those entering the United States via Canada is greatly overestimated.

The answer to that statement is that there is no record at all as to how many come in illegally by that route.

As many may come in as desire to come in, for there is little, if anything, to prevent them from so doing. The very best evidence that there are very many persons coming that way is that the transportation managers interested are violently opposed to any change in the laws which will close the Canadian "unguarded gate" or interfere with the present state of affairs.

If this business is of no value, if there are very few immigrants coming into the United States that way, why is it that the representatives of these corporations should become excited when new legislation is proposed, legislation which will change even in a very minor way the present status as to that business? A personal experience of over thirty years with these transportation gentlemen and their representatives justifies me in asserting that not one of them ever becomes alarmed without just cause; and, besides, they would not object to any new legislation unless they were injured by it, and they could not be injured unless the corporations they represent who are now doing a profitable illegitimate business, were to lose that business. Legislation will follow shortly with a view of controlling the Canadian frontier. It will then be interesting to see just how many gentlemen who are now enthusiastic on the subject of the educational test as it would apply at ports of the United States will vote against closing the Canadian frontier.

Voting to close the ports of the United States against the entrance to this country of good, strong, honest, healthy young men and women because they can not read a few words in any language and then refusing to vote to effectually close the Canadian frontier against the entrance into this country of criminals, prostitutes, anarchists, insane, and persons sure to become a public charge, will constitute a record such as few men would care to make.

This open discrimination in favor of Canadian steamship companies and Canadian railroads as against our own railroads and steamers landing at our shores should not longer be permitted. That the managers of our own corporations complain is but natural; that the managers of the Canadian corporations and the managers of the American railroads affiliated with them are perfectly satisfied is the best evidence obtainable that a great wrong is permitted to exist.

What little is being accomplished by this Government in controlling the immigration coming via Canada is dependent entirely

upon the good faith and by the permission of the officers of the Canadian steamship companies and officers of the Canadian railroads. This country should not depend upon any corporation either at home or elsewhere for the execution of its immigrant laws, for it is no secret that the railroad and steamship companies do not always keep their promises when entered into between themselves.

Attention is also called to the migratory character of immigration from Canada itself, by which is meant mainly the French-Canadian element engaged largely in lumbering and in the mills and factories of New England.

It is estimated that this migratory immigration from Canada to New England points is not far from 70,000 annually.

Perhaps 10 per cent of it remains and by intermarriage forms part of the permanent population.

The remaining migrationists are birds of passage, coming and going with the seasons, and filling the places in mill and factory from which they have ousted their English and Irish predecessors.

There seems to be no good reason why immigration across the Canadian border should not be subject to inspection, record, and restriction just as rigid as that enforced at ports of entry along the seacoast of the United States. It is manifestly unwise to leave unguarded a wide-open back door through which undesirable immigration, excluded elsewhere, finds easy entrance, thus nullifying the restrictive laws of our own country and exposing us to all the evils we wish to prevent.

The amendments to the law herewith suggested will, if adopted, go a long way toward reaching these evils and preventing such thwarting of our laws.

The designation of exclusive ports of entry along our boundary lines through which alone aliens may be admitted may prove effective, especially if the Government is given authority to employ an adequate police force of inspectors to guard the frontier, as well as to deport all who should enter at other than said designated ports of entry.

The expense of this service would be charged to the immigration fund and the per capita tax collected would much more than pay the expense of the service. It is estimated that there are many thousands who come via Canada annually who pay no head tax at all. It is shown that many aliens debarred from entrance at United States ports come into this country via Canada after having been refused admission at ports of the United States.

With almost unanimous voice the labor interests of the country have asked from Congress legislation for further and more effective restriction of immigration.

Nor is the demand confined to this one division of the people. It is sustained by the press, urged by economists and publicists, and indorsed by the platforms of the political parties.

Opinions differ as to specific methods to be applied, some asking measures more drastic than others, but all unite upon the need of immediate action that shall at least perfect the present laws and regulations and make them more effective for the purposes intended.

The concentration of such a large portion of the total immigration, and of almost all the undesirable immigration, in a comparatively few localities causes an immediate competition in the labor market, from which has sprung the insistent demand for restriction.

The testimony of all representatives of labor is uniformly in favor therefore, as stated, of further and more effective restriction, however much they may differ as to the method best for immediate trial.

It is alleged that immigration causes an oversupply of labor and displaces higher standards of living; that labor fails to get the share of general prosperity otherwise obtainable, because a constantly increasing supply of workmen makes demands for increase in wages in times of prosperity ineffective, and that while this competition is felt less in times of business activity it will act with crushing force if a period of depression should come.

Thus two powerful forces, immigration and machinery, operate jointly to prevent a rise in wages and a consequent increase in the consuming power of labor. The kind of immigration received during the last decade recruits the ranks of the unskilled, from which is constantly drawn the supply to supplant higher-priced labor in the skilled trades. Machinery makes it possible to subdivide processes of labor and use women and children in place of men formerly employed.

Organized labor understands this and therefore stands as a unit in demands upon Congress for further restriction.

Statistics show that immigration ebbs and flows with the movement of wages in this country.

In 1882 immigration reached 788,992, and fell to 334,203 in 1886. In 1892 it rose to 579,663, and fell to 229,299 in 1897, the lowest number since 1864.

During 1901 (including cabin passage immigration) it rose to over 560,000.

Could accurate figures be given for the influx across the Canadian border, undoubtedly at least another hundred thousand would be added to this last total.

While labor representatives urge more effective restriction because of this competition for employment and consequent effect upon increase and even maintenance of present rates of wages, economists also urge it upon the ground of the deleterious effect upon the standard of living and civilization.

Investigation proves conclusively that in general wages in the United States are very much higher than in European countries, ranging from 50 per cent to 500 per cent.

It is generally claimed by immigrants that their wages in American cities are from four to five times as high in money as the wages in the rural districts whence they came.

By the reverse of this proposition, the immigrant in his native country was compelled to exist on an income only 20 to 25 per cent of that received by American labor.

Hence, what the standard of the American mode of living requires and the wages demanded to secure it seem paradise and princely compensation to the new arrival.

The effect of this displacement of labor by immigrants is strikingly shown by the following extract from the report of the Industrial Commission recently submitted to Congress:

There is another effect introduced by immigration different from that which would proceed from a natural increase in population. This is the unequal distribution of immigrants in the several occupations and localities. From unskilled and unorganized occupations and from the Canadian border come more urgent complaints of the depressing effect of foreign-born competition than from elsewhere. Certain unions, such as glass blowers, charge an initiation fee higher for aliens than for citizens. This and various other reasons have caused the immigrants to crowd with concentrated effect upon the unprotected occupations, like those of common labor, coal mining, clothing and textile manufactures. In these trades there has been overcrowding and displacement of native workmen or of earlier immigrants and reduction of wages without directly depressing wages in other employments.

The displaced classes take two different courses. Some of them fall in the moral scale and increase the number of hoodlums and tramps. Others seek other occupations or become the foremen or employers of immigrants where a higher standard can be maintained. It may be said on this account that the fate of the displaced classes turns upon the general prosperity of the country, since in time of prosperity the upward transition is comparatively easy and in times of depression exceedingly difficult. But at this point it should be noted that the method by which the original American stock or the earlier immigrants are able to rise above the new immigrants who displace them is in itself open to objection. It consists in that restriction of numbers, through late marriages and smaller families, by which the pressure of competition is lessened.

In this way the original stock and the earlier immigrant stock from western Europe, though rising in scale, becomes less productive and proportionately smaller as the years go by. For this reason it was contended by the late Francis Walker, Superintendent of the Ninth and Tenth Censuses, that from the time when immigration first assumed large proportions it has amounted not to a reinforcement of our population, but to a replacement of native by foreign stock.

Economists claim that when once labor-saving machinery is introduced and unskilled men can do the work formerly requiring skilled workmen it is largely the immigrant who receives the employment, and the former workman must accept less wages by reason of the competition or seek other employment, only to meet, in all probability, similar conditions therein.

By this means, it is further claimed, the displacement named results in the introduction of continuous successions of lower and lower standards of living, as in the cotton textile industry, wherein the native educated American has been displaced successively by the English, the Irish, the French-Canadian, the Armenian, and the Syrian.

It is noticeable that where women have entered factory production they are usually the wives and daughters of immigrants.

Taking in view all these facts and factors, the inquiry is pertinent, shall the standard of citizenship and living in the United States be permanently depressed or shall rigorous methods be adopted to more carefully sift the immigration coming to our shores?

Could some means be devised whereby the stream of immigration would flow to the farm instead of to the factory, much of the burden and danger would be removed.

Unfortunately, as has been shown, the same powerful inducement that draws the farmer's son to the city acts with tenfold force upon the immigrant, whose controlling impulse is, first, immediate employment as near as possible to Ellis Island, and, second, the largest return possible for his toil.

Both these can best be got in the city, and to the city he gravitates.

If employment is immediately obtained, he becomes, in a measure, self-supporting.

The statistics of the various States present some startling revelations concerning the great burden placed by immigration upon the penal and charitable institutions of this country, the larger percentage of the inmates of jails, insane asylums, and charitable institutions having been furnished by the immigration, and investigation has proved the existence of organized effort in foreign countries to unload upon the United States their pauper, insane, and criminal classes.

It is evident from what has been stated that legislation proposed must be carefully considered and be along conservative lines.

While no undesirable immigrant should be admitted, room may be found for immigration such as from 1860 to 1880 contributed so largely to the growth and development of our country.

Existing laws are weak in many points and silent on others where restriction can be strengthened, and there are many loopholes for evasion.

There has been no codification of the various laws affecting immigration enacted during the past twenty-five years.

Even without suggesting new legislation, it is apparent that great improvement would result if the laws can be so compiled as to remove inconsistencies, ambiguities, and conflicts of authority now existing.

Legal interpretation of existing laws has hampered administration by close construction in some instances, making proof of violation difficult and inflicting unnecessary hardships in enforcement.

Tickets are furnished usually upon correspondence from immigrants already here, describing their own success in finding employment and good wages and the demand for labor.

Then, again, migration is no longer promoted by corporations employing labor, but by importing agencies of the several races.

They have branches in their own country and in America, and thus furnish labor to employers upon order, their long experience teaching them the loopholes in the law and the surest manner of evasion.

The immigrants are collected in squads, forwarded to ports of deportation, and coached effectively in the answers to be given to the American inspectors.

At the same time wholesale bargains and understandings are made with the steamship companies for their transportation.

Upon landing they are met by American agents whom they have means of recognizing.

In due time they are turned over to the employing contractors.

It will be seen how difficult it is to prove a contract under such conditions, and a contract, within the meaning of court interpretation, does not exist.

To meet this difficulty changes are made in the law, so as to more clearly define what shall be construed as a contract.

In framing this law it is believed that due regard has been had for all the interests involved. Undue injury to labor by ruinous competition with imported contract labor will be made more difficult while at the same time avoiding measures so drastic as to cripple American industry, agriculture, and the great shipping and transportation interests.

If the suggested law proves effective within its intended scope and in its administrative features, it can be made the basis of such additions hereafter as public sentiment may warrant or future conditions demand. While special interests may ask for more radical action at the present time, that course is best for all which is the safest and which conserves the interests of our whole country.

Having, by the bill proposed, established a harmonious code for the enforcement and administration of restriction as a general principle, it will be easy and appropriate from time to time to add supplementary features as necessity requires.

A summary of the more important changes, additions, and improvements embodied in this new bill may be appropriately given here.

The principal object of the bill is to codify in concise form all the legislation of this character heretofore enacted from the act of March 3, 1875, to the act of 1894, and to arrange the legislation in regular order and sequence according to the various specific subjects dealt with in the bill.

It is the object also of the bill to eliminate from the laws concerning immigration all those parts which have become obsolete as a result of subsequent legislation and to amend all portions of the laws which have been found inadequate to accomplish the plain purpose intended by them because of judicial decisions and interpretations and because of lack of authority for their administration.

The bill further embraces legislation which seemed to be demanded by enlightened public opinion, besides necessary enactments to cover the recent territorial acquisitions of the United States in the Philippines, Porto Rico, Hawaii, etc.

The bill increases the amount of the head tax on aliens coming into the United States by land transportation as well as by water from \$1 to \$1.50. The increase is justified by the greater cost of administering the law, which proposes to deal in a more effective way with the dangers of an already large and rapidly growing alien population, not only by rejecting at our ports before landing those who are found to be inadmissible, but by following up those who have effected an entrance and afterwards become criminal or pauper burdens upon the local municipalities, and within

three years after their arrival returning them to their own countries.

The head tax, by the way, is also required to be paid by aliens coming into the United States across the land boundaries, and the proposed law imposes a penalty for the nonpayment of the same.

The present bill consolidates with the general immigration laws existing legislation with regard to the importation of aliens under contract to perform labor in the United States, thus making the money from the head tax available for funds in payment of expenses for the enforcement of those laws instead of securing the necessary funds for the purpose through a special annual appropriation.

The proposed law excludes from admission to the United States, or any place subject to the jurisdiction thereof, the following classes of alien immigrants: All idiots, insane persons, epileptics, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; persons afflicted with a loathsome or with a dangerous contagious disease; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude; polygamists; anarchists or persons who believe in or advocate the overthrow by force or violence of all government or of all forms of law or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; persons whose migration to the United States has been induced by offers, solicitations, promises or agreements, parol or special, express or implied, of labor or work or service of any kind in the United States, and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes. Persons living in the United States are not prevented from sending for a relative or friend who is not of these classes mentioned, nor are persons convicted of a purely political offense excluded. It is also provided that skilled labor may be imported if labor of like kind unemployed can not be found within the United States. Professional actors, artists, etc., are not excluded.

The new law in relation to the insane was introduced in this bill to relieve our State and municipal institutions from the burdens they have been made to bear by these immigrants obtaining admission to them and remaining there indefinitely. The provisions concerning anarchists were adopted upon the theory that an effective way to deal with this evil was by refusing admission to the United States to the teachers and disciples of such a system or belief.

The part of the bill in relation to prostitutes and procurers is to complete the evident purpose of the act of March 3, 1875, which makes the importation of such aliens a felony, but omits to provide for rejection at ports of the United States.

The wisdom of the proposed law in regard to contract alien labor can not be questioned. It is for the protection of the American workingman. He deserves all that we can legally do for him, and no law which will keep alien contract labor out of competition with him can be too strict. The old law is strengthened in this respect by dropping the word "contract" and inserting in its place the words "offer, solicitation, promise."

This change has been made to meet the rulings of the courts, which held that in every case of alleged violation of the law the elements of a binding contract must be proven to bring offenders within the meaning of the act. Now, the "contract" does not have to be proved under the proposed bill, only the "offer, solicitation, or promise."

Certain rulings of courts have destroyed the value of the act as far as its protection was concerned, because under such rulings aliens could be imported with impunity upon the suggestion or assurance that employment awaited them in this country. Besides, Congress has already recognized, in section 3 of the act of March 3, 1891, the necessity of broadening the language of the act so as to cover the evil, for in this measure referred to it makes a violation of the law the migration of any alien to the United States in consequence of an advertisement in any foreign country promising work in this country. Therefore throughout the bill the words "offer, solicitation, promise" are used in lieu of the word "contract," as at present.

In this connection, what was considered by the committee as a necessary exception was embodied in this act. It provides that where skilled labor of the kind desired can not be found unemployed in this country, then, under such circumstances, skilled labor may be imported. The practicability and propriety of this is obvious. The imported alien contract laborer injures the American workman only by displacing him. If labor of the kind desired can not be found in this country and is imported, no one is displaced.

Another change in this bill is in the substitution of the word "attempt" for "aid," the courts having in effect held that the word "aid" involved the actual landing of the prohibited aliens. Of course, when a steamship company willfully tried to land such class of aliens and the inspectors discovered they were illegally here, then they were immediately rejected and (technically) not allowed to land. Therefore the steamship companies could not be held liable, because they had not aided the alien to land in view of the fact that he had not landed at all. Hence the word "attempt," so as to cover even the effort of the company to land such a person, whether he is rejected by the inspector or not.

What is considered a fair and equitable provision is also included, which provides that if an alien immigrant who is really not entitled under the law to enter this country should be admitted by the immigrant inspector, and is afterwards found to be here unlawfully, the fact that the inspector admitted him relieves the steamship company of the penalty of a fine of not more than \$1,000 provided for attempting to land such aliens, but does not relieve the steamship company from taking such alien back at the expense of the company if found here within one year after his arrival. Many safeguards are thrown around the actions of inspectors under the proposed law, and it will be very difficult for an immigrant who should not be admitted to get through safely.

The provision also covers those immigrants who secure entrance into the country without inspection. The bill further provides that any alien contract laborer, rejected as such, may be detained, if such detention is necessary, to be used as a witness in behalf of the Government in any suit which may be brought against the person or persons inducing his unlawful immigration to the United States, the expense of such detention to be paid by the immigrant fund. The necessity for this legislation is due to the fact that the immediate return of such alien robs the Government in many cases of the sole witness it has to successfully maintain an action against a contractor.

The present bill makes it unlawful for any transportation company or vessel to bring to any port of the United States any alien afflicted with a loathsome or dangerous contagious disease.

The company which brings such alien under this bill is subject to a fine of \$100 for each alien so brought if the Secretary of the Treasury is satisfied that the disease existed at the time of foreign embarkation and that its existence then could have been discovered. To enable the collection of such fine the law prohibits the issuance of clearance papers to any vessel which has incurred such fine or refused or neglected to pay it, and it furthermore provides that such fine shall not be remitted. As before stated the deportation of any such alien is provided for. This new legislation, by punishing the taking on board ship, will, it is believed, abate the evil under discussion, for the owners of vessels will avoid the payment of any such fine by a more careful examination at the port of embarkation. The exclusion, at the port of departure, of all diseased persons will prevent the thousands of passengers on board ship en route to this country from becoming inoculated with any disease which would not manifest itself until days after such passengers had become distributed throughout the country. It is not at all unjust to the owners, for they can easily protect themselves by careful examination before embarkation of aliens and by the refusal of passage to those so afflicted.

Another feature provides for the return, with any rejected alien who is helpless from infancy or physical inability, of any person who has accompanied such helpless alien to this country.

A most important part of the system of supervision of immigration in this country is the examination at the port of arrival by physicians. Provision is therefore made in the bill for thoroughly competent physicians who are qualified within all reasonable limits for this particular work.

The time within which an alien who has become a public charge may be deported is extended by the bill from one to three years. The reason for this extension of time is found in the frequent complaints of communities charged with the burden of maintaining helpless aliens, such complaints being supported by an array of figures which leave no room for doubt that the extension of time is imperative. It is a fact that many aliens of this particular class have come here, remained the one year formerly prescribed, and then, safe from deportation, entered the charitable institution in the community in which they then happened to be, to remain there permanently a public charge and burden upon that community.

The old laws make a distinction between those aliens who become public charges from causes existing previous to their landing here and those who become so from causes arising after such landing. The new bill is the same in this respect. It provides that any alien who shall become a public charge from causes ex-

isting prior to landing shall be deported to the country whence he came at any time within one year after his arrival at the expense of the steamship company bringing such alien here, and so this is added in the proposed law one-half the cost of inland transportation to the port of deportation.

Formerly the steamship company was merely required to take the alien back on its ship. The added penalty of one-half the inland transportation (which is to be paid by the steamship companies) will no doubt increase the vigilance of the companies and cause them to refuse passage to persons of this character from the other side. It is not a severe penalty, but since it involves some actual outlay it should be more effective than the mere return of such alien on ships regularly plying to foreign ports; which return is made at an inappreciable cost.

Under the proposed bill it is provided that an alien who has become a public charge from causes existing before he landed may be deported within three years after the first year after arrival, the immigrant fund paying the cost of his ocean transportation to the country whence he came, and the corporation or municipality relieved of such burden paying the expense of delivering such alien at the port of deportation, including inland transportation, care, etc.

Under the proposed law those aliens who become public charges from causes arising after landing may be deported if found here within three years after arrival in the same way, the immigrant fund paying the cost of ocean travel and the corporation or municipality paying the expense of delivering the alien at the port of departure.

In order to keep track of them in our institutions the proposed law improves the system whereby undesirable aliens may be traced, and this information will be carefully taken and preserved. Heretofore these immigrants have been lost sight of and have actually filled many of our institutions. Careful periodical inspection of all these institutions is to be made also with this end in view. What is generally considered one of the best features of the proposed law in this connection is the requirement that the passenger manifests of vessels carrying immigrants shall be full, detailed, and explicit in all data that may serve in personal identification.

The Secretary of the Treasury is given power to arrest and deport aliens found to be unlawfully in the United States and their return is required by the transportation lines bringing them here, to the country whence they came, or if that can not be done, as in the case of tramp steamers, then at the expense of the immigration fund. The time within which such arrest may be made is extended to three years, to correspond with the parts of the proposed bill just above referred to.

The foregoing comprises briefly all the proposed legislation that is essentially new in this act, that is, all that is not already on the statute books, and the entire codification is really and simply a fuller application of the principle of existing laws. Of this there is certainly much need, and the committee believe such changes and improvements to be necessary and imperative.

Mr. Chairman, I am very sure there is not a gentleman in this House who will not heartily and fully approve of the purposes of this bill. We may differ, and properly so, as to the methods of securing desired results, but I am sure there will be no objection to the general object of the bill. Little, if any, legislation would be enacted if every one of the 356 members was to have every bill in all respects to his liking. Legislation is largely a matter of compromise, as every well-informed person understands.

Few bills have been more carefully considered by a committee than has this measure, and it was at its final hearing unanimously agreed to by the committee (of 11 members). The bill meets the approval of the Secretary of the Treasury, who has charge of the Department which will administer it, and it may be added that the bill is substantially in accord with the conclusions of a conference of experts in the employ of the United States Industrial Commission, some of the greatest alienists in the country, the Commissioner-General of Immigration, and the commissioners of immigration at the ports of New York, Boston, Philadelphia, Baltimore, and San Francisco. It may be said, therefore, to embody the best expert suggestions obtainable, and that it contains the best of what such a law ought to contain in order to give a conservative yet effective instrument for the exclusion or regulation of undesirable immigrants.

Consider and analyze carefully the statistics given in this table. These figures speak volumes. They are correct so far as they go. There is not included in these statements the number of immigrants who illegally come into the United States by the Canadian frontier. It is claimed by perfectly competent authority that the number who have been debarred at our ports, together with the number who avoided our ports of entry altogether and who sneaked in by the Canadian frontier, is many times the number of the debarred who are recorded in this report. [Prolonged applause.]

Report of immigration at ports of the United States and Canada for the year ending June 30, 1901.

Race.	Sex.		Total.	Ages.			Debarred.										Returned in 1 year after landing.	Relieved in hospital.	Illiteracy, 14 years and over.		Immigrants bringing—		Total amount of money shown.	Have been in the United States before.
	Male.	Female.		Under 14 years.	14 to 45.	45 and over.	Idiots.	Insane persons.	Paupers, or likely to become public charges.	Loathsome or dangerous contagious diseases.	Convicts.	Assisted immigrants.	Women for immoral purposes.	Contract laborers.	Can read, but can not write.	Can neither read nor write.			\$30 or over.	Less than \$30.				
African (black)	299	295	594	120	416	58	—	—	16	—	—	—	—	5	1	—	13	167	33	497	\$3,290	297		
Armenian	1,364	491	1,855	242	1,534	79	—	—	14	7	—	—	—	—	1	39	2	344	128	1,092	12,053	109		
Bohemian and Moravian	1,943	1,823	3,766	757	2,663	346	—	—	8	—	—	—	—	1	3	31	6	39	513	1,906	86,795	217		
Bulgarian, Servian, and Montenegrin	499	112	611	54	540	17	—	—	70	—	—	—	—	—	—	4	4	208	93	823	14,242	15		
Chinese	2,413	39	2,452	56	2,399	87	—	—	—	—	42	3	42	17	—	—	125	39	339	1,180	2,239	7		
Korean	46	1	47	1	43	3	—	—	—	1	—	—	—	—	—	—	1	—	35	4	12,545	—		
Croatian and Slovenian	15,492	2,436	17,928	745	16,576	607	—	—	53	1	—	—	—	8	2	96	41	6,773	1,892	14,897	232,185	1,633		
Cuban	1,019	603	1,622	360	1,085	177	—	1	6	—	—	1	—	1	1	5	16	103	173	1,447	23,261	951		
Dalmatian, Bosnian, and Herzegovinian	630	102	732	40	664	28	—	—	—	—	—	—	—	2	—	1	—	202	164	273	14,569	57		
Dutch and Flemish	2,149	1,150	3,299	769	2,232	298	—	—	16	5	—	—	—	1	—	31	10	189	662	1,073	98,412	355		
East Indian	18	2	20	1	19	—	—	—	—	—	—	—	—	—	—	1	—	5	12	7	1,163	3		
English	8,041	5,447	13,488	2,105	9,702	1,681	1	3	93	5	—	—	—	2	28	44	47	161	4,849	3,802	542,293	4,267		
Finnish	6,458	3,541	9,999	1,099	8,557	343	—	—	16	10	—	—	—	1	7	49	34	163	876	7,254	136,719	906		
French	2,526	1,510	4,036	432	3,253	351	—	—	13	1	—	—	—	1	4	13	8	132	1,500	1,216	164,644	1,608		
German	20,214	14,528	34,742	6,490	25,706	2,546	—	—	120	12	3	—	—	6	26	414	67	1,100	7,163	14,752	1,056,850	3,882		
Greek	5,754	165	5,919	506	5,238	175	—	—	70	10	—	—	—	2	2	31	3	1,398	509	4,925	92,145	306		
Hawaiian	3	2	5	—	5	—	—	—	—	—	—	—	—	—	—	—	—	—	4	—	120	—		
Hebrew	32,345	25,753	58,098	14,731	39,330	3,537	2	2	243	49	1	—	—	9	69	555	135	10,119	3,111	19,394	487,787	1,873		
Irish	12,807	17,597	30,404	1,347	27,821	1,236	—	4	73	11	—	—	—	2	59	106	72	867	3,091	20,230	457,733	5,908		
Italian (north)	17,852	4,251	22,103	1,830	19,156	1,117	—	—	51	10	—	—	—	9	1	27	77	3,122	7,147	10,820	505,974	3,017		
Italian (south)	90,395	25,309	115,704	15,794	90,317	9,568	2	4	1,292	30	2	—	—	67	52	708	540	58,493	5,656	78,747	1,017,310	11,524		
Japanese	4,887	362	5,249	53	5,079	117	—	—	158	30	—	6	—	125	2	—	—	293	4,856	117	269,689	438		
Lithuanian	6,499	2,316	8,815	712	7,986	117	—	—	14	7	—	—	—	4	65	402	3,635	481	6,615	79,917	233			
Magyar	9,627	3,684	13,311	1,108	11,620	583	—	—	40	2	—	—	—	—	18	53	53	359	616	10,751	143,550	1,614		
Mexican	217	133	350	42	278	31	—	—	5	—	—	—	—	—	—	—	—	68	142	84	10,070	112		
Pacific Islander	20	4	24	1	21	2	—	—	4	—	—	—	—	—	—	—	—	2	3	14	951	4		
Polish	29,581	14,036	43,617	4,520	37,904	1,193	—	—	98	50	—	—	—	3	22	266	931	13,739	1,725	33,075	429,032	2,323		
Portuguese	2,240	1,936	4,176	1,030	2,774	372	—	—	7	—	—	—	—	2	11	123	1,884	310	2,274	45,842	671	—		
Roumanian	704	57	761	23	684	54	—	—	2	—	—	—	—	3	3	—	—	274	25	698	8,322	36		
Russian	474	196	690	147	495	28	—	—	2	—	—	—	—	—	—	1	3	166	87	358	16,929	30		
Ruthenian (Russiak)	3,903	1,385	5,288	252	4,850	186	—	—	23	—	—	—	—	—	—	18	45	2,634	158	4,169	50,402	509		
Scandinavian (Norwegians, Danes, and Swedes)	23,503	16,774	40,277	3,185	34,796	2,296	1	2	45	5	1	—	—	4	18	68	92	196	5,596	25,455	690,798	7,218		
Scotch	1,202	802	2,004	311	1,482	211	—	—	15	—	—	—	—	—	4	4	5	15	622	681	90,897	524		
Slovak	21,227	8,116	29,343	2,582	25,756	1,005	—	—	77	14	—	—	—	8	13	114	132	8,086	1,771	23,678	356,942	5,157		
Spanish	1,072	130	1,202	105	1,020	77	—	—	21	1	—	—	—	18	—	11	2	150	395	655	54,291	337		
Syrian	2,729	1,335	4,064	798	3,080	186	—	—	82	28	—	—	—	7	3	113	9	1,825	520	2,055	70,436	370		
Turkish	123	13	136	8	125	3	—	—	5	—	—	—	—	—	—	—	—	61	22	100	3,296	9		
Welsh	391	283	674	113	485	76	—	—	1	—	—	—	—	—	—	1	5	18	240	190	21,424	337		
West Indian	62	20	82	9	72	1	—	—	34	—	—	—	—	1	1	4	—	10	37	10	3,235	24		
Spanish-American	200	76	276	49	210	17	—	—	1	—	—	—	—	—	—	—	—	41	158	60	44,134	112		
Filipino	105	33	138	31	104	3	—	—	9	17	—	—	—	—	—	—	—	16	11	1,206	—	—		
Esquimaux	10	13	23	4	15	4	—	—	—	—	—	—	—	—	—	—	—	—	13	290	—	—		
Arabian	11	—	11	—	11	—	—	—	2	—	—	—	—	—	—	—	—	6	—	—	—	—		
Swiss	1	—	1	—	1	—	—	—	—	—	—	1	—	—	—	—	—	—	1	—	30	—		
Total	331,055	156,863	487,918	62,562	396,516	28,840	6	16	2,798	300	7	50	3	327	363	2,826	3,058	117,587	56,312	294,860	7,383,822	58,182		

Mr. OLMSTED. Mr. Chairman, I would like to ask the gentleman from Ohio a question before he sits down.

Mr. SHATTUC. I yield for a question.

Mr. OLMSTED. Or rather a suggestion. It seems to me that without amendment the bill that your committee has reported will not read as you had intended. I understand this tax of \$1.50 per person is to be paid by the vessel or the passenger?

Mr. SHATTUC. There is an amendment to be offered there.

Mr. OLMSTED. It reads to be paid by the—

master, agent, owner, or consignee of every such vessel, or by the alien passenger, if such passenger comes overland within twenty-four hours after the arrival of such vessel in port.

What vessels come overland?

Mr. SHATTUC. If you will wait until the amendment is reported you will find that it is straightened out.

Mr. BARTHOLDT. I would like to ask the gentleman a question.

Mr. SHATTUC. I yield to the gentleman for a question.

Mr. BARTHOLDT. I would like to ask the gentleman whether this bill restricts immigration?

Mr. SHATTUC. Not to any greater extent than before, but we have anarchists in there, and the insane and lepers, and I think that is about all.

Mr. BARTHOLDT. The argument made by the gentleman from Ohio—

Mr. SHATTUC. I thought the gentleman was asking me a question.

Mr. BARTHOLDT. I am coming to my question now, if you will permit me. I will not take up your time. The argument of the gentleman from Ohio was to the effect that immigration was injurious—

Mr. SHATTUC. I beg your pardon. I call the gentleman to order. I yielded for a question. That is not a question.

Mr. BARTHOLDT. If the gentleman will not permit me to put the question in my way, I shall not ask a question.

Mr. SHATTUC. Under the five-minute rule you can ask it, but not now.

Mr. CLARK. I would like to ask the gentleman a question.

Mr. SHATTUC. I yield to the gentleman for a question.

Mr. CLARK. That is what I am trying to get at. Is this bill substantially the same bill that Cleveland vetoed or not?

Mr. SHATTUC. Not at all. Mr. Cleveland vetoed the educational test.

Mr. CLARK. Has this any educational test?

Mr. SHATTUC. It has not; and I hope it will not have when it goes through the House.

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman a question.

Mr. OLMSTED. I would like to ask the gentleman a further question.

The CHAIRMAN. To whom does the gentleman yield?

Mr. SHATTUC. I yield to my friend from Mississippi.

Mr. WILLIAMS of Mississippi. I want to know if any agreement has been made about the length of general debate?

Mr. SHATTUC. Not yet.

Mr. WILLIAMS of Mississippi. Could not an agreement be made?

Mr. SHATTUC. We did not try very hard.

Mr. OLMSTED. I want to ask whether this bill has a provision that relates in any way to the coming of persons into our home ports from our insular possessions?

Mr. SHATTUC. It has.

Mr. OLMSTED. That is covered by the bill?

Mr. ROBINSON of Indiana. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. SHATTUC. I do.

Mr. ROBINSON of Indiana. I see that by a section of the bill that it provides "United States" shall be construed to mean territories over which the United States has jurisdiction. What is the operation of the law, first, with reference to Hawaii?

Mr. SHATTUC. It takes in Hawaii.

Mr. ROBINSON of Indiana. With reference to the immigration from the Territory of Hawaii how would it apply?

Mr. SHATTUC. I would like to call upon some of the great lawyers upon the committee to state that.

Mr. KLEBERG. It would apply.

Mr. ROBINSON of Indiana. Would it apply to immigration to the Philippine Islands?

Mr. SHATTUC. Not from the United States.

Mr. ROBINSON of Indiana. From other countries?

Mr. SHATTUC. It applies to all other countries equally and to all of our new possessions equally.

Mr. ROBINSON of Indiana. Then under it you can not either receive Japanese or Chinese in the Philippine Islands?

Mr. SHATTUC. No.

Mr. ROBINSON of Indiana. The provision excludes them as it would from the United States.

Mr. SHATTUC. Certainly.

Mr. MANN. Is there anything in this bill with reference to the Japanese or Chinese?

Mr. SHATTUC. I have not agreed to yield to the gentleman from Illinois, Mr. Chairman. Have you read the bill?

Mr. MANN. I have not, or I should not have asked.

Mr. SHATTUC. You have not asked me to yield. [Laughter.]

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois for a question?

Mr. SHATTUC. With pleasure. [Laughter.]

Mr. MANN. May I ask if the gentleman has read the bill? [Laughter.]

Mr. SHATTUC. Have I read it? I reserve the balance of my time. [Laughter.]

The CHAIRMAN. The gentleman has seventeen minutes remaining.

Mr. WATSON. With the permission of the gentleman, I would like to ask him a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. SHATTUC. For a question.

Mr. WATSON. Do I understand that by a provision of your bill you strengthen the existing laws?

Mr. SHATTUC. That is the simple purpose of the bill—only.

Mr. WATSON. And by its terms and provisions do you exclude any persons not now excluded?

Mr. SHATTUC. Yes—no nationality, no—but we exclude those who come here insane and those who are anarchists.

Mr. LANDIS. Paupers.

Mr. SHATTUC. No; they are already excluded, and epileptics.

Mr. WATSON. Do you exclude persons coming across the Canadian border that are not now excluded?

Mr. SHATTUC. The theory of the committee is that we ought not to take up the question of the Canadian border and we ought not to take up the educational test, nor should we take up the question of selling liquor on the Government reserves in this bill, but that we ought to get some good legislation and put it on our statute books and then take up these several meritorious measures by themselves.

The fact is that we have not been able so far to get any good immigration legislation because there are three or four different classes of people here in this House who are not satisfied to have some good, first-class legislation passed, but they want better legislation, and they want to tack onto the bill the educational test if they can, and others will tack on, if they can, the question of the Canadian border, and that is the worst trouble we have to deal with. Then, too, our good prohibition friends want to tack on the liquor question, and so the bill gets loaded up and is defeated. I hope that this bill will receive the support of all of our good friends, those who desire the educational test, those who want no liquor sold anywhere within a thousand miles of any place where the Government owns land, and those who want nobody to come over the Canadian frontier. The committee considered all of those questions, and has reported this bill with the hope of getting something done in the House.

Mr. WATSON. I understood a good portion of the gentleman's argument to be directed to excluding people from coming over the Canadian border who now come.

Mr. SHATTUC. Oh, no; because we do not want to endanger the passage of this bill.

Mr. BARTHOLDT. Then, I understand that that was just a general observation.

Mr. SHATTUC. Yes.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. SHATTUC. Yes; for a question.

Mr. BARTHOLDT. This bill, of course, excludes anarchists?

Mr. SHATTUC. Yes.

Mr. BARTHOLDT. I should like to have the gentleman state what machinery is provided for the identification of anarchists?

Mr. SHATTUC. The same machinery that is used when they try to find out whether a woman is a bad woman or not. They ask her.

Mr. BARTHOLDT. All the means, then, at their disposal is to ask questions?

Mr. SHATTUC. Yes; as to whether or not the man is an anarchist.

Mr. BARTHOLDT. Does the gentleman think a man will admit that he is an anarchist when he is asked the question?

Mr. SHATTUC. Yes; lots of them do.

Mr. BARTHOLDT. Is there nothing more to prevent his coming?

Mr. SHATTUC. We can get a great deal of information from our consuls and our diplomats and our agents whom we send abroad.

Mr. BARTHOLDT. Is it not possible that if some one intends to keep a man out of this country, all he would have to do under the provisions of this bill would be to write to the immigration authorities in New York and denounce the man as an anarchist? I will state that in my judgment a single postal card or a single letter would be sufficient to keep a man out of this country.

Mr. SHATTUC. Well, now, is that a question?

Mr. BARTHOLDT. That is a question which I ask you.

Mr. SHATTUC. Well, I will say to the gentleman that the bill will not let one more come in than could come in otherwise. It is our disposition to keep them out. We keep out a great many other people where we have no greater facility for finding out their objectionable qualifications under the law than we have with the anarchists. I will state to the gentleman that he need not worry about the anarchists.

Mr. POWERS of Maine. Does not this bill prevent people from coming into the United States from the Republic of Cuba?

Mr. SHATTUC. Yes; it does now.

Mr. POWERS of Maine. Why should we admit people from the Republic of Mexico and not from the Republic of Cuba, for which we wish to do so much?

Mr. SHATTUC. Well, because in Mexico they are right along our borders and they can step right over.

Mr. POWERS of Maine. Oh, no; but they may come from some portion of Canada.

Mr. SHATTUC. One is practicable and the other is not.

Mr. POWERS of Maine. This applies to those coming by vessel, as I understand it, from Mexico and the Dominion of Canada. Now, from a large portion of the maritime provinces immigrants come by vessel.

Mr. SHATTUC. Yes; but about 70,000 come across on foot right up in your country, where we are trying to stop it.

Mr. POWERS of Maine. I want to know why we should exclude people from the Republic of Cuba and admit them from the Republic of Mexico?

Mr. SHATTUC. Because it is not contiguous territory.

Mr. POWERS of Maine. It does not seem to me that that is a very satisfactory answer.

Mr. SHATTUC. Well, I know; but it is to the committee. [Laughter.] Now, Mr. Chairman, I reserve the balance of my time and yield the floor to the gentleman from Missouri [Mr. RUCKER].

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GRAFF having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. B. F. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On May 19, 1902:

H. R. 53. An act for the protection of cities and towns in the Indian Territory, and for other purposes; and

H. R. 13076. An act to apportion the term of office of Senators elected at the first general election in the Territory of Hawaii.

On May 20, 1902:

H. R. 13288. An act to authorize the construction of a bridge across the Tennessee River in Marion County, Tenn.

IMMIGRATION.

The committee resumed its session.

Mr. RUCKER. I yield to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, some months ago the gentleman from Indiana [Mr. WATSON] introduced a bill in this House that has not been yet reported from the committee in favor of an educational test for immigration. After consulting with Mr. WATSON, and with his permission, before commencing my remarks, I desire to offer that bill substantially as an amendment to the pending bill, and have it pending at this time. I send it to the Clerk's desk to have it read.

The CHAIRMAN. The Chair thinks that at this time it will not be in order as an amendment.

Mr. UNDERWOOD. Then I ask to have it read to go in the RECORD, and I will offer it at the proper time when the paragraph is reached.

The Clerk read as follows:

Amend the bill by adding as a new section, between lines 14 and 15, on page 4, the following:

"SEC. 3. That in addition to the persons excluded under the foregoing section, admission into the United States shall be denied to all persons over 15 years of age and physically capable of reading who can not read the English language or some other language; but an admissible immigrant or a person now in or hereafter admitted to this country may bring in or send for his wife, his children under 18 years of age, and his parents or grandparents over 50 years of age, if they are otherwise admissible, whether they are so able to read or not.

"That for the purpose of testing the ability of the immigrant to read the inspection officers shall be furnished with copies of the Constitution of the United States, printed on uniform pasteboard slips, each containing not less than 20 nor more than 25 words of said Constitution printed in the various languages of the immigrants in double small pica type. Each immigrant may designate the language in which he prefers the test shall be made, and shall be required to read the words printed on a slip in such language. No two immigrants listed on the same manifest shall be tested with the same slip. An immigrant failing to read as above provided shall not be admitted, but shall be returned to the country from which he came at the expense of the steamship or railroad company which brought him."

Mr. UNDERWOOD. Mr. Chairman, there are many people in the United States who believe that there are some restrictions on immigration into this country intended to prevent our receiving any but the better class of immigrants from an intellectual standpoint; but the bill that is now reported by the committee and now before the House is practically a compilation of the old statutes on the question of immigration, with some few changes. There is nothing in it as it stands without the amendment I have offered that restricts immigration, except as to criminal classes and as to pauper classes and certain restrictions in regard to contract labor. The policy of the country has been heretofore simply to say that the deaf and dumb, the blind, the idiotic, the insane, or pauper and criminal classes shall not have entrance into this country; then stop and admit all other classes of immigrants without restriction. In other words, we have not heretofore attempted to say that we will only bring in competition with the standard of American life, the standard of American wage-earners, the standard of American principles and ideas, people from other countries who are qualified and fit to maintain and uphold that standard. We have left our gates open to receive all that come, whether they uplift us or whether, through ignorance or racial tendencies, their admission will result in pulling down our civilization, the standard of American life, and the standard of American wage-earners.

I say the time has come in this country when the duty that the American Congress owes to the American people is far greater to protect the American laborer against the pauper labor of Europe than it is to protect the American laborer against the pauper-made goods of Europe. The first is far more dangerous to his welfare and well being than the latter.

You may say that this country is over 100 years old, that we have passed through four generations since the birth of our Republic and that no such innovation as this has been necessary heretofore; that it is laying down a new rule, but I say to you that the time has come in the history of this country when a new rule should be laid down; that to leave the gates of our country open to any class of people who want to come here in the future endangers our civilization, and the hour has come when we should call a halt and only admit as citizens of this country those people who are capable of understanding our form of government and maintaining the high position of the American citizen and wage-earner.

Mr. BARTHOLDT. Will the gentleman permit a question?

Mr. UNDERWOOD. Yes; if it is only a question.

Mr. BARTHOLDT. The gentleman said the evil of immigration was greater than the danger of free trade.

Mr. UNDERWOOD. Oh, my friend wants to be facetious, and I do not care to yield for that purpose.

Mr. BARTHOLDT. No; I am very serious.

Mr. UNDERWOOD. I stated that I believed the competition of the pauper labor of Europe coming into our country was more

dangerous to the wage-earner than the pauper-made goods coming from Europe.

Mr. BARTHOLDT. Yes; that is the proposition. As to that I would like to ask the gentleman whether it is not true that the men who come here for the purpose of working on American soil are not consumers of our goods, the same as they are producers, and if it is not more beneficial for the country to have them here in this country as consumers than to allow them to remain in Europe and be consumers over there, and then bring their productions to this country under free-trade regulations?

Mr. UNDERWOOD. I am not going into a tariff argument; that has nothing to do with this bill. I merely mean this: I read in the papers not long ago where a certain number of immigrants landed in this country without money, without property, with nobody to give them employment, and they were driven from the refuse dumps in New York, where they were sleeping and eating the refuse of that great city because they had no place to go. These men, if brought here and allowed to remain here, must come eventually into competition with the great American wage-earner of this country; and I say he is entitled to be free from competition from such a source. That is my position.

Now, why should we make this change? Why, the reason is evident. In the beginning of our Government we had vast prairies and forests to the west of us. The great Western reserve was unsettled. There were miles and miles and hundreds of miles of fertile soil there waiting for the woodman's axe and the farmer's plow. We had no steamship companies in those days to hunt among the slums of Europe and gather anyone that had money enough to pay a fare and bring them here for profit.

The immigrant from whom you and I and most of the great American people are descended came from the north of Europe. He was not brought here by anyone else, but he came here to better his condition. He had to save the money at home to buy his own passage. He came here with the courage and nerve to go into an unknown and an untried wilderness and build a great republic. We were glad to welcome that kind of immigrants; and they were the only ones that came in that day. They were the men of brawn and sinew. They are the men who have left their mark on the American Republic. They were a different class of men from the class gathered to-day and dumped here by the millions in the great cities of this country, not for the purpose of developing it, but with the effect (I do not say for the purpose) of dragging down our own standards here at home.

Mr. BARTHOLDT. Will the gentleman permit another question?

Mr. UNDERWOOD. Certainly.

Mr. BARTHOLDT. Does my friend think the educational test is a cure for the evil that he speaks of?

Mr. UNDERWOOD. Well, I will come to that in a moment. I ask my friend to wait. I am coming to that.

Mr. BARTHOLDT. Is it not true that the man who comes here—

Mr. UNDERWOOD. Now, I ask my friend not to inject an argument into my speech. I have been willing to yield to him for a question. I say I am coming to the discussion of the educational test a little later. If the gentleman desires then to interrupt me for a question, I will yield; but not now. I have not reached that point in my remarks.

Mr. BARTHOLDT. Yes, you have. You made a statement that such a man—

Mr. UNDERWOOD. Well, I must decline to yield. I have tried to treat the gentleman from Missouri with courtesy; but if he will not accept it in the spirit in which I offer it, I must simply refuse to yield.

Now, Mr. Chairman, between the years 1790 and 1830, when the foundation stones of this Republic were laid, there were only a few hundred thousand immigrants coming into this country; yet the nation of itself developed in those years from 4,000,000 to 13,000,000 of people. What did that demonstrate? It demonstrated that the reproductive powers of our own people, the opportunities for growth, the opportunities for the development of our own people, responded to the needs of the country, and the body of American citizenship developed along natural channels. But if you intend to stifle the people of our own country by making the struggle and the battle for life harder by bringing the pauper labor of Europe here in competition with them, you are of necessity, as all history points, going to cut off the growth of the American citizen himself; you are going to crowd out the people who have built the country; you are going to pull down the standard of living thereby, and you are going to undertake the task of assimilating a class of people that may endanger your republican institutions.

In the beginning of the century we had full opportunity to take care of all the immigrants that came to this country. The homestead laws between 1860 and 1880 allowed immigrants to come to

this country and buy small homesteads at \$1.25 an acre, and build their homes there and develop the country. The result is, as we find from the statistics, that between 1860 and 1880, when the great West was developing, there were 5,100,000 immigrants landed in this country. Most of them went to the West to build their homes and make their living. What has been the result? The great West was practically developed by 1880, but in the twenty years succeeding—from 1880 to 1900—we find that 9,100,000 immigrants have come to this country. And where have they settled? Not in the great West. Most of them have crowded the already overcrowded cities of the North. Notwithstanding our country had been filled up in the West, the opportunities for free homesteads practically gone, the steamship lines continued to foster the business of bringing immigrants to this country. Naturally these companies selected as the field from which to draw these immigrants portions of Europe where they could be obtained most readily, and that was where the people were most dissatisfied with the conditions that confronted them. So that instead of the high class of immigrants that we had up to 1880, the character of our immigration has been gradually growing lower and lower, until to-day it is a threat to the American Republic.

There is another reason why the immigrants that we had in the beginning do not come now, and why the poorer classes of immigrants are coming to this country. In the first two decades that I spoke of after the civil war, agricultural prices were at their highest point. There was full opportunity and inviting opportunity for the best classes of the farming population of Europe to come here as immigrants and make a good living. Since that time there has been a gradual fall in agricultural prices. To-day agriculture is more profitable than it was a few years ago; nevertheless, it has had a downward tendency for many years, and the better classes of European immigrants have not found the field inviting.

The object of bringing this immense number of immigrants to this country now is to supply the demands for labor. But even to-day, when the demand for labor is at its height, the field for employment is overcrowded in almost all the cities and manufacturing districts. There is no place for this surplus of laboring population to go except to the farms; and we know that there is very little of homestead land left to absorb this supply.

As I said, in the beginning of the century the immigrants who came here depended upon their own energy, thrift, and pluck to fight their own way. The class of immigrants who are coming here to-day depend alone on the agents of the steamship companies to bring them and depend on any opportunity at any price to make a living after they come here. Now, what is the difference in the class of immigrants we then received and receive now? I wish to call the attention of the House to the difference in the class of immigrants who have come into the country.

In the first place, in the early part of the century almost the entire immigration into this country came from Great Britain and Ireland, Germany, Sweden, Norway, France, and northern Europe. To-day we are receiving the larger portion of our immigration from Austria-Hungary, Italy, Poland, and Russia.

In 1869 the immigrants from the latter countries equaled only about one one-hundredth of the number that we received from the United Kingdom, France, Germany, and Scandinavia. In 1880 the immigration from eastern Europe amounted to about one-tenth of the number coming from northern Europe. In 1894 it nearly equaled the number coming from northern Europe, and in 1901 it was three times as great as the immigration coming from northern Europe. In other words, the immigration from northern and western Europe in 1899 amounted to 130,000 immigrants, or 41 per cent of the total, and from eastern Europe 175,000 immigrants, or 56 per cent.

The next year the immigrants from northern and western Europe amounted to 149,000, or 33 per cent of the total, and from eastern Europe 276,000, or 61 per cent. The next year, 1901, the immigration from western Europe amounted to 164,000, or 33 per cent, and the immigration from eastern Europe amounted to 309,000, or 62 per cent.

Of these—that is, of those coming in from eastern and southern Europe—the larger percentage were as follows: In the year 1900, southern Italians, 115,000; Poles, 43,000; Slovaks, 29,000. So, of the immigrants that came in in that year, you can see that the greater proportion were from southern and eastern Europe.

Now, to determine what class of immigrants we want, we all know that it is much more difficult for us to assimilate the Slovak and the Pole and the Italian from southern Europe than it is to assimilate and build up the country with the Irishman, the Englishman, the German, or the Frenchman, people of our own blood and our own kin.

Mr. WACHTER. I should like to ask the gentleman whether it is not a fact that the larger part of these immigrants of the

class the gentleman has just mentioned remain in the cities instead of going to the rural districts?

Mr. UNDERWOOD. I stated that a few minutes ago. That is a fact. Now, Mr. Chairman, as to which of these immigrants are best for our country is a question about which we can have no doubt here. We know that when the German, the Scotchman, the Irishman, the Englishman, or the Frenchman comes here he builds a home, he develops the country, he adds to our prosperity; but we know that when the Slovak or the Pole or the Italian from Southern Italy comes here he stays in the larger cities. He does not build a home and he does not develop our country. He is difficult of assimilation.

I have some figures here showing the amounts of money that each of these classes of immigrants brought here in the year 1900, as showing the different kinds of immigrants coming to the country. I find that the average Scotchman immigrating to this country in that year had \$41; the Englishman had \$38; the Frenchman, \$37; the German, \$28, and so on. But the average Slovak who came into this country that year had \$11; the Pole had \$9; the Italian from southern Europe had \$8. That shows the distinction in the classes coming in that year.

But the question then is whether an educational test will in any way affect this question. You say, if this class of immigrants are undesirable, why should you apply the educational test to keep them out. You may say that education is no test of intelligence. I grant it. A man may have the highest natural intelligence and yet be unable to read and write because he has not had the opportunity to learn. I grant you that an education is merely a tool that can be used successfully in the hands of an intelligent man; but I do say that an intelligent man will seek education, and the fact that a man has education implies that he has intelligence.

Well, how would an educational test affect the citizens of this country? What effect would it have on the class of immigrants now coming in? I find that in 1890 the percentage of illiteracy of the total immigration over 15 years was 20 per cent; in 1896 it was 29 per cent; in 1897 it was 23 per cent; in 1898, 23 per cent; in 1899, 19 per cent; in 1900, 24 per cent; in 1901, 27 per cent. So that as shown in these figures the illiteracy among the immigrants that come into this country is constantly increasing. I have shown that in the figures I have already read that in these years the number of immigrants coming from northern Europe has greatly diminished, and the number coming from southern and eastern Europe has largely increased, keeping pace with the illiteracy that is shown.

I also find that the number of persons in each hundred immigrants, over 14 years of age, who can not read or can not read and write their own language, from those races which contributed 2,000 immigrants to the United States during the years 1899, 1900, 1901 are as follows. I will merely read the difference for the year 1901 and insert the balance in the RECORD. There was eight-tenths of 1 per cent among the Scandinavians who could not read; among the English, 1.8 per cent; Scotch, 1.2; Irish, 3.2; among the French, 3.9; among the Germans, 4.1.

Now, coming down to the races that come from southern Europe and eastern Europe, where the greater proportion of our immigrants are coming from to-day, I find that among the Hebrews there were 23 per cent who could not read and write; among the Greeks, 25 per cent; the Slovaks, 30 per cent; Polish, 87 per cent; Slavonians, 39 per cent; Ruthenians, 53 per cent; Italians from southern Italy, 59 per cent, and Portuguese, 63 per cent. In other words, the illiteracy shown by the immigrants coming from northern Europe for the year was only 5.6 per cent—a little over five men out of every hundred men who landed from northern Europe were unable to read or write—but when you come to the immigration from southern and eastern Europe we find that there was an average of 43.2. In other words, that of the lower class of immigrants that are now coming into this country by the hordes, the greater proportion are immigrants coming from eastern and southern Europe, 43 per cent of whom can not read and write; and if you add to them the other races that are coming in, which are the Japanese and Chinese and Assyrians, you make it 50 per cent of these races that come into this country who can not read and write as against 5.6 per cent from northwest and western Europe.

Those who come here are entitled to all the benefits of our laws, all the benefits of our country. Are we doing the southern Italians, Slovaks, and Poles any good by bringing more from their country, in their present condition, to compete with them and fight in our cities for their daily bread? I say not. I say that those who are already here can not complain against our discriminating against the further importation of that class of labor. But when you come to the men from whom you and I are descended, whether they came yesterday or a hundred or two hundred years ago—I mean the Englishman, the Welshman, the Irishman, the Scotchman, the Frenchman, the German, the men from

northern Europe, the men whose blood we bear, whether they are citizens of to-day or descendants of citizens of a hundred years ago—can you say that they will complain against a test that excludes as immigrants from their countries only five men out of every hundred men that come here?

Can any man say that the great German citizenship of this country, that citizenship that has lent its aid so greatly to build up the Republic, to develop our broad acres, to build its homes, that they will complain against a test that only excludes from coming here four men in every hundred that wish to come to this country, and yet protect them from the competition of the Slovaks, the Polish, and the Hungarians, of which 50 per cent who come here can not read or write? I say no. I say that the great German citizenship of this country love their adopted country. They love the American flag and love the American standard of living. They love American protection to the wage-earner in this country too well to fight a law which will protect them and their country from indiscriminate immigration, because forsooth four out of every hundred citizens who seek to come here from Germany are stopped at the gates.

Mr. RAY of New York. Mr. Chairman, if the gentleman will permit me, I would like to ask if he has looked at the statistics on this point? The gentleman has referred to the fact that in the neighborhood of 50 per cent of the Italians when they come here can not read or write, and about the same per cent of Poles and Russians. Now, I would like to ask if he has looked at all to the figures and statistics to ascertain whether or not these people who come to the United States from southern and eastern Europe avail themselves, after they have settled in this country, of our institutions, our public schools, to the end that their children may become educated.

Mr. UNDERWOOD. I will say to my friend that I have not searched the statistics as to how many immigrants of that class go to American schools, or avail themselves of that opportunity in this country, but from my general knowledge I know that that class of immigrants come here in such a destitute condition both as to money and native ability to earn a living and to lift themselves up toward the American standard, that I presume their children have but little opportunity to take the advantages of education. In other words, I know from general observation that since this class of immigrants have lately been coming to this country the sweat houses in the great cities have been heard of, and the degrading situation that we find and read about in the papers as to the way the immigrants to this country are being herded and driven along as though they were cattle.

You never hear of the better classes of immigrants coming from northern Europe being herded and driven about as are these poor people coming from southern Europe, where they have been held down and oppressed by poverty and hard living for hundreds of years, for centuries back, and have become so degraded that they are unable to lift themselves up to the high plane of American citizenship. They are descendants of dying races. They have not got the blood that is in the veins of the immigrants of northern Europe, that is reaching out and developing and extending and upbuilding our great Republic. They are like the Egyptians of old that at one time stood proud possessors of the highest civilization of the world, but to-day we find them mere hewers of wood and drawers of water, and unable to rise above that condition. Their course has run, their destiny is complete.

Mr. WATSON. Will the gentleman allow me an interruption?

Mr. UNDERWOOD. Certainly.

Mr. WATSON. On the very question asked by the gentleman from New York there is an interview in the Washington Post of this morning. There is a great deal of testimony on that proposition, but this is valuable, coming as it does from the president of the University of Prague, a member of the Austrian Reichsrath, who gives his observations on this country. He says that the greatest peril to our institutions is immigration; and on the very proposition that the gentleman has asked about, he says:

Go to New York and you find them fairly swarming about the streets of the East Side from early morning until late in the evening. Then go to the other section of the city and you notice the contrast. In the one place thousands of ignorant children playing in the filth of the smaller streets and alleys, and in the other neatly clad children with school books in their arms.

It is safe to say that the condition in the former case, under the present circumstances, when no care is manifested for the welfare of the offspring of the foreigners, will not naturally become alleviated in less than the third to the fifth generation.

There is only one remedy that I can think of, and that is to organize a movement to take care of these children, educate them, and by so doing elevate their moral condition.

That is in answer to the question put by the gentleman from New York whether or not the children of these immigrants take advantage of the public schools.

Mr. RAY of New York. If the gentleman from Alabama will permit me, I did not care to interrupt him and he went right on. I have made a careful study of that question, and my study has

run through some years, for the purpose of ascertaining whether or not these people from south and eastern Europe avail themselves or show a disposition to avail themselves of our institutions and our free schools after arriving in this country. I came to the conclusion that they not only do not do it, but do not care to do it.

In New York, where we are experimenting with the compulsory-education law, we find it very difficult to enforce that law against the children of that class of people, whereas with the other classes—the Irish, the Scandinavian, the English, the Scotch, the French, and German—we have no trouble at all; however ignorant their parents are when they come to this country, they are ready, anxious, and willing to embrace the opportunities for education afforded by our common schools.

Mr. UNDERWOOD. Now, Mr. Chairman, I wish to state that the amendment that has been read, and which will be offered by me when the bill is read under the five-minute rule, providing for the educational qualification for immigrants merely provides that an immigrant wishing to enter this country must be able, either in the English language or his own language, to read some clause of the Constitution of the United States, but his children under the age of 18 years, or his wife, or his parents, or grandparents over the age of 50 years can be admitted with him or sent for by him without being able to read, so that there will be no separation of families and no hardships established. There might be other tests, there might be other ways of lessening the immigration into this country. It has been suggested by some that we adopt a consular service examination, but if we do that it requires a good deal of machinery, and, besides, it is very expensive to the Government. The consul, before the immigrants leave their country, must pass upon whether he is a suitable person, and one consul may have one idea in reference to some class of immigrants, and another may have another judgment in reference to another class. There would be no uniformity of system, and in the end, when the immigrant lands at Ellis Island, New York, or the port of entry, he would have to be met with another examination and possibly sent back.

I do not say that this educational test is a perfect test. It is not perfect by any means. But I do say that, as shown by the statistics I have read, it will stop the immigration of over 50 per cent of the immigrants that we do not want, and it will stop the immigration of only 4 per cent of that class that we do want.

Now, if we can adopt a system which, although not perfect, costs the Government nothing, a system that will never turn back the immigrant after he lands on our shores (because under the amendment I offer the steamship companies are responsible for his return passage if he can not pass the test, and they will apply the test before he gets here), why is not such a system desirable? It puts us to no expense—it turns back no man—it does not separate the members of a family, yet it excludes 50 per cent and more of the undesirable immigrants that are coming into this country to-day. I say that under these circumstances, even if this system is not perfect—if it is not all that we might desire—if in some instances it may work disadvantageously to a small extent, it will certainly work greatly to the advantage of our country in other respects, and I say that the wise thing for us to do at this time is to adopt this test so far as it goes.

More than that, a man who, coming to this country, does not understand our institutions, our theory of government, our mode of living is a menace to the American Republic, because after he is here a very short time—in some of the States only a year—as soon as he declares his intention to become a citizen of the United States you put into his hands the most sacred power of government; you enshrine him in the highest office of the world; you give him the power of an elector of the American Republic. Now, while you and I and our constituency are fighting a battle for good government in this country, can we properly say that when so many as 9,000,000 immigrants are coming here in the space of twenty years, and the number is increasing every year, it is fair to them, it is fair to ourselves, to let this condition go on without attempting to restrict this immigration in some way?

Mr. COOPER of Wisconsin. I observe that among the classes of aliens included in section 2 are all persons convicted of crime. Does the gentleman know of any provision of law by which that clause of the bill could be enforced?

Mr. UNDERWOOD. I will say to my friend from Wisconsin [Mr. COOPER] that I am not discussing the general provisions of the bill. I am not on the Immigration Committee. I have offered as a separate section an amendment proposing to apply the educational test, and that is the proposition I am discussing.

Mr. COOPER of Wisconsin. I thought the gentleman from Alabama was a member of the committee.

Mr. UNDERWOOD. No, sir; I do not know whether there is adequate machinery for carrying out that provision of the bill; but I do know that in this amendment there is a provision for

enforcing this educational test. And as I was saying a moment ago, if we are going to admit this class of immigrants into this country in competition with the American wage-earner of to-day, giving them the ballot, and thereby the right to govern this country as well as ourselves, is it not fair and just to our own people, the people who make up the great mass of American citizens, to say that when those men come here they must be provided with enough education to read the Constitution of the United States and to acquire some intelligent idea of our form of government.

Mr. BARTHOLDT. Will the gentleman yield now for a question?

Mr. UNDERWOOD. I will; but I hope the gentleman will not introduce anything in the way of argument. For a question, I cheerfully yield.

Mr. BARTHOLDT. I will move to have the gentleman's time extended.

Mr. UNDERWOOD. Very well.

Mr. BARTHOLDT. If a man coming from any country of Europe has not had the opportunity of education, but is otherwise acceptable as a citizen—if he comes here with two strong arms and a healthy mind and a willingness to identify himself with our institutions, and if under your educational test that man is excluded, is it not true that we punish lack of opportunity; and is such a thing in harmony with true Americanism?

Mr. UNDERWOOD. I will answer my friend so far as I am able. As I said some time ago, I do not believe that education is a test of intelligence. I admit, for instance, that there might come from the great Empire of Germany many men or some men as immigrants into our country who would be unable to read, and yet with intelligent and healthy minds and healthy bodies, and able to bring themselves up to the American standard of living and American citizenship. On the other hand, as I said a while ago, when a man can not read or write the presumption is that he has not the intelligence to bring himself up to that standard; yet an intelligent man will seek the opportunity of education, and he does not have to go very far in the line of education to be able to read the Constitution of the United States, which is the only test we prescribe here. But I do say that you can not write any law upon the statute books—none has ever been written—that may not produce a hardship in some cases.

Hard cases often make bad laws, but you can not legislate justly for the whole people by bringing down your standard of legislation to take care of the hard cases. You must fix your standard at the top. You must fix your standard where it is just and right to the great body of the people you are legislating for, and then if some unfortunate falls below the standard, why it is his misfortune. It does not make the law unjust. I will say to my friend from Missouri [Mr. BARTHOLDT] that he looks at it from the standard of the immigrant who is coming here. He looks at it from the standpoint of the man who seeks to come here and find an asylum.

I will say that I would be very glad for the great American Republic to open its arms to the distressed of all the world if we could do so without danger to ourselves, but I think our first duty is to our citizens at home and our next duty may be to citizens of other countries whom we are willing to welcome and to uplift in the standards of our civilization, but when our own people are threatened by indiscriminate immigration into this country, the hour has come when we must first be just to them, and the only way to be just to them is in some way to prescribe limitations on the importation into this country of all classes of immigration from Europe, regardless of what may be the effect on us. In the decades to come we have got to assimilate these people. Their blood will be joined with our blood; and if they are not up to the standard of the rest that are already here, they will pull us down toward their standard.

Mr. SNOOK. Mr. Chairman, I would like to ask a question.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Ohio?

Mr. UNDERWOOD. Yes.

Mr. SNOOK. The gentleman from Missouri [Mr. BARTHOLDT] asked the gentleman from Alabama the question whether or not he thinks an immigrant should be barred from coming to this country because he could not read and write if he intends to become a citizen of the United States. I will ask the gentleman from Alabama if he has carried his investigation far enough to know what percentage of these people of whom he has been talking, who come to this country from southern Europe, come here with the intention of making their home in this country and what percentage come here with the intention of acquiring a few hundred dollars and then going back to Italy or to the different countries there?

Mr. UNDERWOOD. I will say that I have been unable to find any satisfactory figures on that, because under the loose laws

in many States, where they allow a man to take out his papers of intention and then vote, after he has been here a year, it is usual for that class of immigrants to do so, which raises the presumption that they are going to stay here. But I do know from my own experience and what investigation I have made, although I say it has not been satisfactory, that the greater portion of the people who return to their former homes are from those countries of eastern and southern Europe, and that it is very rare that you find an immigrant coming from northern Europe who does not settle here permanently, raise his children here, and become a permanent American citizen.

Mr. SNOOK. Then it is true that a very large percentage of these people from southern Europe do come to acquire a few hundred dollars and then go back?

Mr. UNDERWOOD. I know a great many of them go back.

Mr. MANN. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. Yes.

Mr. MANN. Do I understand the gentleman from Alabama to say that the large proportion of Italians, Bohemians, and Polanders return to their former homes?

Mr. UNDERWOOD. I did not state that. I said I did not know what percentage did, but I knew the percentage was much larger among those coming from southern and eastern Europe than those coming from northern Europe.

Mr. MANN. Will the gentleman permit me to say that from personal knowledge in my own city, Chicago, there is an extremely small percentage of those people who return, and I think a smaller percentage even than those who come from the northern countries?

Mr. UNDERWOOD. Well, I have not found that from my own observation or from my investigation of the question, but as I stated to the gentleman from Ohio, I have not been able to find satisfactory statistics, and therefore did not assert it, but from my own observation and what I have been able to gather on the question, my information is that the percentage of those from southern Europe and eastern Europe who return is far greater than those who come from northern Europe.

Mr. RYAN. Mr. Chairman, I would like to interrupt the gentleman a moment.

The CHAIRMAN. Does the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. RYAN. I will state that the statement made by the gentleman from Illinois is also true of my section. Very few of those people return. We have more than 60,000 Polanders in Buffalo and they make good citizens and come here with the intention of remaining.

Mr. WACHTER. I will say the same condition exists in Baltimore. They live so well here after they come that they want to stay here.

Mr. UNDERWOOD. Well, Mr. Chairman, I am perfectly willing for all my friends from the large cities to clear their consciences and put themselves on record. [Laughter.] If there is any other gentleman from a large city who desires to do so I will give him the opportunity.

This is a fight for home and country; for the peace, contentment, and prosperity of our own people, for the protection of the American wage-earner and the maintenance of our civilization.

I hope the amendment will be adopted, and I feel sure that it will meet with the approval of all classes of our citizens, whether native or foreign born, who love their country and who desire peace and prosperity at home.

APPENDIX.

GENERAL FIGURES AS TO TOTAL IMMIGRATION.

1. Immigration by decades, 1821 to 1900.

[From Report of United States Industrial Commission, p. 267.]

1821 to 1830	143,430
1831 to 1840	590,125
1841 to 1850	1,713,251
1851 to 1860	2,598,214
1861 to 1870	2,314,824
1871 to 1880	2,812,191
1881 to 1890	5,246,613
1891 to 1900	3,867,564
Total	19,115,221

2. Immigration by years from 1885.

[From reports of Superintendent, and Bureau of Immigration.]

1885	395,346	1894 ^b	285,631
1886	324,203	1895 ^b	258,536
1887	490,109	1896 ^b	343,267
1888	548,889	1897 ^b	230,832
1889	447,427	1898	229,299
1890	455,302	1899	311,715
1891	560,319	1900	448,572
1892	579,663	1901	487,913
1893 ^a	439,730		

^aThe cholera year.

^bPeriod of commercial depression.

RECENT CHANGES IN THE NATIONALITY OF IMMIGRANTS.

[Specially prepared from Quarterly Report Bureau Statistics, No. 2, series 1892-93, and reports of Commissioner-General of Immigration.]

1. Comparison of certain groups.

Year.	Per cent of immigrants from Austria-Hungary, Italy, Poland, and Russia to total immigration.	Per cent of immigrants from United Kingdom, France, Germany, and Scandinavia to total immigration.
1899.....	0.9	73.8
1890.....	8.5	64.5
1891.....	34	57.7
1892.....	39.6	52.1
1893.....	44.8	53.9
1894.....	42.7	48.2
1895.....	42.6	47.9
1896.....	39.8	52.9
1897.....	52	38
1898.....	57	33
1899.....	64	27
1900.....	66.7	25.3
1901.....	68.6	22.5

2. Immigration from eastern and western Europe and per cent of total immigration.

Year.	Western Europe.		Eastern Europe.	
	Immigrants.	Per cent of whole.	Immigrants.	Per cent of whole.
1899.....	130,160	41.7	175,270	56.2
1900.....	149,442	33.3	276,793	61.8
1901.....	164,792	33.7	309,301	62.7

3. Total immigration of Asian races.

1899.....	8,972
1900.....	17,946
1901.....	13,698

4. The largest elements in immigration at present.

Race.	1899.	1900.	1901.
Southern Italian.....	65,639	84,346	115,704
Hebrew.....	37,415	60,764	58,098
Polish.....	28,446	46,938	43,617
Scandinavian.....	23,249	32,952	40,277
Irish.....	32,345	35,607	30,404
German.....	26,632	29,682	34,742
Slovak.....	15,838	29,243	29,343

CONDITIONS OF IMMIGRATION.

Average money shown by immigrants.

1896.....	\$11
1897.....	15
1898.....	17
1899.....	17
1900.....	15
1901.....	15

Money brought by the several races, 1900.

[Report of the United States Industrial Commission, p. 284.]

Races.	Amount of money shown per capita.	Races.	Amount of money shown per capita.
Scotch.....	\$41.51	Syrian.....	\$14.31
Japanese.....	39.59	Chinese.....	13.98
English.....	38.90	Finnish.....	13.06
French.....	37.80	Croatian and Slovenian.....	12.51
Greek.....	28.78	Slovak.....	11.69
German.....	28.53	Ruthenian (Russniak).....	10.51
Bohemian and Moravian.....	31.12	Portuguese.....	10.47
Italian (northern).....	22.49	Magyar.....	10.39
Dutch and Flemish.....	21.00	Polish.....	9.94
Cuban.....	19.34	Italian (southern).....	8.84
Scandinavian.....	16.65	Hebrew.....	8.67
Russian.....	14.94	Lithuanian.....	7.96
Irish.....	14.50		

Illiteracy in general.

Per cent of illiterate in total immigration:

Over 15 years of age—	
1896.....	20
1897.....	29
1898.....	23
Over 14 years of age—	
1896.....	23
1897.....	19.7
1898.....	24.3
1900.....	27.7

Number of persons in each hundred immigrants over 14 years of age who can not write or can not read and write their own language, from those races (not nations) which contributed upward of 2,000 immigrants to the United States during the last three fiscal years.

Races.	1899.	1900.	1901.
Western Europe:			
Scandinavian.....	0.6	0.6	0.8
English.....	1.7	1.2	1.8
Scotch.....			1.2
Bohemian and Moravian.....	3.3	3	1.5
Finnish.....	2	2.7	2.2
Irish.....	3.9	3.3	3.2
French.....	3.5	3.9	3.9
German.....	3.2	5.8	4.1
Dutch and Flemish.....		9.6	7.8
Italian (north).....	11.4	11.2	15.7
Average of above.....	3.6	4.2	5.6
Eastern Europe (with Spain and Portugal):			
Magyar.....	10.8	16.8	7.5
Hebrew.....	20.3	22.9	23.6
Greek.....	23.4	17.1	25.9
Slovak.....	27.6	27.9	30.7
Polish.....	31.3	31.2	37.5
Croatian and Slovenian.....	26.1	37.4	39.7
Lithuanian.....	32.4	31.7	49.8
Ruthenian.....		49.0	53.2
Italian (south).....	57.2	54.6	59.1
Portuguese.....	65.5	59.9	63.8
Average of above.....	37.6	36.4	43.2
Other races:			
Cuban.....		6.8	
Japanese.....	4.7	8.9	6.7
Chinese.....			6.9
Syrian.....	56.2	55.9	56.1

Letter of Mr. Gompers in reference to an educational test.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., May 16, 1902.

Hon. JAMES E. WATSON,
House of Representatives.

DEAR SIR: I have observed with much pleasure your activity in the cause of the regulation of immigration, and in particular your introduction of a bill providing that no adult immigrant shall be admitted to our country till he has acquired the first rudiments of education. It is for this reason that I now address you with regard to pending and prospective legislation.

The organized workers of the country feel that the existing immigration laws, while not without their value, are of trifling effect compared with the needs and the just demands of American labor.

The elaborate bill reported to the House by the Committee on Immigration is for the most part a simple codification of the existing laws, and modifies them only in some few details. I believe that the changes proposed are for the most part desirable. They are, however, comparatively unimportant. If it is worth while to take up the question of immigration at all, it is worth while to introduce a genuine and effective regulation.

The strength of this country is in the intelligence and prosperity of our working people. But both the intelligence and the prosperity of our working people are endangered by the present immigration. Cheap labor, ignorant labor, takes our jobs and cuts our wages.

The fittest survive; that is, those that fit the conditions best. But it is the economically weak, not the economically strong, that fit the conditions of the labor market. They fit best because they can be got to work cheapest. Women and children drive out men, unless either law or labor organization stops it. In just the same way the Chinaman and others drive out the American, the German, the Irishman.

The tariff keeps out cheap foreign goods. It is employers, not workmen, that have goods to sell. Workmen sell labor, and cheap labor is not kept out by the tariff. The protection that would directly help the workers is protection against the cheap labor itself.

The Nashville convention of the American Federation of Labor, by a vote of 1,858 to 352, pronounced in favor of an educational test for immigrants. Such a measure would check immigration in a moderate degree, and those who would be kept out by it are those whose competition in the labor market is most injurious to American workers. No other measure which would have any important effect of this kind is seriously proposed.

The need of regulation may be less sharply felt at the present time, when there are less men out of work than there were a few years ago. But the flood of cheap labor is increasing, and its effect at the slightest stagnation in industry or in any crisis will be fearful to the American workmen.

A fall in wages or a relative fall of wages makes the workers unable to buy as large a share as before of the goods they produce. This hastens the time when overproduction or underconsumption will show itself. That means hard times; and when hard times come the mass of immigrants that prosperity attracted will be here to increase the burden of unemployment.

For these reasons the American Federation of Labor believes that the present opportunity ought not to be allowed to pass without the adoption of an effective measure for the protection of American labor.

I earnestly hope that you will be able to procure the embodiment of an illiteracy test for immigrants in the bill (H. R. 12199) which the House now has under consideration.

I have the honor to remain, yours, very respectfully,

SAM. J. GOMPERS,
President American Federation of Labor.

Following is a copy of the amendment offered by Mr. UNDERWOOD, and adopted in the Committee of the Whole House by vote of 86 yeas and 7 nays on May 22, 1902:

"Mr. UNDERWOOD. Mr. Chairman, it has been an hour or more since my amendment was read, and I would like to have it again reported.

"The CHAIRMAN. Without objection, the amendment will be again reported by the Clerk.

"The Clerk read as follows:

"Amend the bill by adding as a new section, between lines 14 and 15 on page 4, the following:

"SEC. 3. That in addition to the persons excluded under the foregoing

section, admission into the United States shall be denied to all persons over 15 years of age and physically capable of reading who can not read the English language or some other language; but an admissible immigrant or a person now in or hereafter admitted to this country may bring in or send for his wife, his children under 18 years of age, and his parents or grandparents over 50 years of age, if they are otherwise admissible, whether they are so able to read or not.

"That for the purpose of testing the ability of the immigrant to read the inspection officers shall be furnished with copies of the Constitution of the United States, printed on uniform pasteboard slips, each containing not less than 20 nor more than 25 words of said Constitution printed in the various languages of the immigrants in double small pica type. Each immigrant may designate the language in which he prefers the test shall be made, and shall be required to read the words printed on a slip in such language. No two immigrants listed on the same manifest shall be tested with the same slip. An immigrant failing to read as above provided shall not be admitted, but shall be returned to the country from which he came at the expense of the steamship or railroad company which brought him."

ENROLLED JOINT RESOLUTION SIGNED.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

Joint resolution (H. J. Res. 192) fixing the time when a certain provision of the Indian appropriation act for the year ending June 30, 1903, shall take effect.

IMMIGRATION.

The committee resumed its session.

Mr. SHATTUC. Mr. Chairman, I ask unanimous consent that I be permitted to print some statistics in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to print statistics in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTHOLDT. Mr. Chairman, I do not want to object, but I would like to ask the gentleman what statistics they are?

Mr. SHATTUC. Immigration statistics.

Mr. BARTHOLDT. Furnished by the Immigration Bureau?

Mr. SHATTUC. No.

Mr. BARTHOLDT. I want it understood that on the question of illiteracy the figures cited by the gentleman from Alabama [Mr. UNDERWOOD] are not official figures, because those statistics are not authorized by law and have never been taken officially, so we will simply have to take the statements of the immigration officials on these subjects for what they are worth.

Mr. UNDERWOOD. I will say to the gentleman that some of these statistics that I have read were gathered by me from the census reports and others I have gathered from the reports of the Bureau of Immigration.

Mr. SHATTUC. Did the Chair put my request for unanimous consent to print in the RECORD some statistics?

The CHAIRMAN. There was no objection to the gentleman's request, and it was granted.

Mr. SHATTUC. Now, Mr. Chairman, I ask my colleague from Missouri [Mr. RUCKER] if we can not agree on the matter of closing debate?

Mr. RUCKER. Mr. Chairman, I have requests for about forty-five or fifty minutes' time on this side. That is the extent to which I have been requested to yield time. I am willing to make any reasonable agreement.

Mr. SHATTUC. Then, Mr. Chairman, I suggest that the gentleman take his forty-five minutes this afternoon, and that I have thirty-five minutes to-morrow afternoon, after the morning hour.

The CHAIRMAN. The Chair will state to the committee that according to his recollection of what took place in the House this morning, no order for the division of time was made. The gentleman from Ohio [Mr. SHATTUC] was recognized, as chairman of the committee, and consumed fifty minutes, having ten minutes remaining. The gentleman from Missouri [Mr. RUCKER] was then recognized, as a member of the committee, and yielded one hour, which was entirely consumed by the gentleman from Alabama [Mr. UNDERWOOD].

Mr. SHATTUC. That all grew out of the fact that I did not ask the House to carry out an agreement that I had made with my colleague on the committee [Mr. RUCKER]. I wish now to put it on the basis on which it would have been had I asked the House to allow my friend to control the time on that side. I therefore renew my request.

The CHAIRMAN. The gentleman from Ohio will restate his request.

Mr. SHATTUC. I ask unanimous consent that the general debate close in one hour and a half, forty-five minutes to be allotted to each side.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that general debate close in an hour and a half—forty-five minutes to be consumed on each side.

Mr. WATSON. I should like to ask the gentleman from Ohio how the time on this side is to be distributed?

Mr. SHATTUC. One-half of the forty-five minutes on this side to go to the gentleman from Indiana.

Mr. WATSON. Give me thirty minutes and I will agree to it.

Mr. SHATTUC. I will do it.

Mr. RUCKER. I shall make no objection to the request unless some other gentleman on this side signifies a desire to speak, and I have heard of none.

The CHAIRMAN. The Chair will then state the request of the gentleman from Ohio, which is that general debate be continued for one hour and a half—forty-five minutes to be controlled by the chairman of the committee and forty-five minutes to be controlled by the gentleman from Missouri [Mr. RUCKER]. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Chairman, I now yield fifteen minutes to the gentleman from Texas [Mr. KLEBERG].

The CHAIRMAN. The gentleman from Texas [Mr. KLEBERG] is recognized for fifteen minutes.

Mr. KLEBERG. Mr. Chairman, in looking over this bill I find nothing especially objectionable. Possibly the clause in section 21 which authorizes the deportation of aliens to be made within five years should be limited to one year or two years. I believe the law now is one year. Of course there may be some details of the bill to which I would object and to which I may offer amendments as the bill is read; but as a general scheme of intelligent control of undesirable immigration to this country, I believe that upon the whole it is a measure that should meet the support of this body.

Mr. RAY of New York. May I ask the gentleman a question right on that point?

Mr. KLEBERG. I have only fifteen minutes, but I will yield to the gentleman.

Mr. RAY of New York. You were speaking of the deportation feature of the bill. I should like to have you state, if you can, how this Government can enforce a provision of law providing for the deportation of a man whom we have permitted to land in this country and stay for one or two years or three years, whom we then deport for some offense. Of course, we could send the man away, but how can we compel the foreign country to receive him if that country objects? I should like some suggestion on that point.

Mr. KLEBERG. I am not referring to the legal question, and I do not want to enter into any controversy with the gentleman from New York, because my time is limited and I want to address my remarks to other subjects in the bill; but I will state that my information is that deportation has taken place under the one-year clause. I do not know how many have been deported, but I understand that some have been.

Mr. CLARK. We are deporting Chinamen all the time.

Mr. KLEBERG. Now, aside from this, I will address myself principally to the amendment which will be offered by the gentleman from Alabama, possibly, or some of the friends of that measure; and I wish to enter my protest now, because I may not have the time when the bill is read under the five-minute rule, to the so-called educational test. I think that a test of that kind would be an absolute bar to all further immigration in the United States. A test which required the reading of a part of our Constitution in some language will have the effect of practically barring all immigrants who are now employed for manual labor, and yet who will make desirable immigrants.

I do not wish it to be understood that I do not want to have people immigrate who are able to read and write. But let us remember that while the United States is the greatest country under the sun, we do not have our gates open simply for educated men, for professors, or for artists, or for singers, and sculptors, and classes of this kind. This country, let it be remembered, is still a new country. Seventy millions of people upon an area as large as that of the United States is simply a drop in the bucket to what it ought to be and likely will be fifty or a hundred years hence.

Let us remember that this is not a matter of national pride. We do not stand here simply either as the descendants of Germans, or Frenchmen, or of Italians, or Irishmen, or of Englishmen, or Poles, or what not. We stand here as American legislators, legislating for the American people, and for the Aryan race the world over, so far as immigration to this country is affected.

Now, my friend has alluded to the fact of illiteracy as an objection to intelligent or patriotic citizenship. I grant that. But that, gentlemen and Mr. Chairman, is a question of naturalization. I have no objection to making naturalization laws which will only admit to citizenship people who understand our institutions and who are amenable to our institutions. But while that is a question as to the naturalization law, is it any reason why we should object to a man, as illustrated by my colleague from Missouri, who has two strong hands and is sane in body and mind, who is willing to do and to work and to build up the stratum

from which we will have to draw our citizenship in the future? Let it be remembered that not only statistics but the opinions of eminent economists teach us the fact that citizenship must constantly reinforce its ranks from the lower strata of society, provided it has the necessary racial characteristics.

Now, I have advocated Chinese exclusion, and I am against the amalgamation of inferior races with the race of people which is naturally designated American. But can it be said that we will confine our selection to the immigrants from Germany or France or England? Shall we exclude Italy, a people with as illustrious and glorious a history as any in the world? Shall we exclude the Italians, the descendants of proud Rome? Shall we exclude the Greeks, the descendants of the proudest nation of ancient times; or the Poles, who have an illustrious ancestry, or any other like people? I say, Mr. Chairman, that any people who can trace their ancestry to the Aryan race are a valuable acquisition to American citizenship. It will not do to shut out the hardy laborer, the man who is willing to work, and who brings here a healthy body and mind, and who is not a criminal or a pauper.

Many of our citizens, or at least the ancestors of many of our citizens, came to these shores possibly not able to read and write a technical document such as the Constitution of the United States, yet their descendants are among the most eminent and most successful citizens in this country. As long as there is a good race, as long as the right kind of people—or rather historic ability in the race of people—that come to American soil, they should not be excluded. Our industrial development will march on by leaps and bounds, and while it is right that we should protect our laborers, the time will come when we need more laborers, these men who are to do the manual work of this great nation, to build up and develop our industrial resources as they will develop in the future.

Are we to shut ourselves in by a Chinese wall, and say that only our children, our posterity, shall work, that only those inside of our citizenship shall do the work of this great nation, industrially and intellectually? Should we not open our gates to all desirable immigration, to workmen, to laborers, as well as men of science, and artists? It is those people that we need; the people who will come here and develop and build the railroads, clear the forests, open the mines, and do the work that some of our citizens are now not necessitated to do. The time will soon come when we will have to look for these laborers to do the work of our great industrial enterprises in every direction.

Every new enterprise will create a new demand for labor and new opportunities. As the population of this nation increases, the means of subsistence will increase; the more people, the more to do for them; the wider the field of cooperation, the quicker the progress of civilization, the greater the comfort and happiness of the individual, the healthier the growth of industrial, social, and political institutions. This is the law of evolution, to which all municipal and national legislation must conform. As our industrial system expands our population must expand likewise, and be invigorated by the influx of new people racially kindred to the resident population. Invention, skill, energy, and intelligent organization of both capital and labor will develop our industrial life in the near future as it has never been anticipated before.

And then, if we are simply drawing on our own population we can not look for the intelligent development and for the necessary development that we are to make in the coming generations. Now, the idea of excluding these people, who come here healthy, willing, and who will make law-abiding citizens, who wish to better their condition and our condition, who come here to work, and who will labor and who will be amenable to our institutions, and who will continue to add to our growth and progress—it is preposterous; it is folly. It is foreign to the genius of our Government.

The gentleman from Indiana who read the extract from the Post, from the eminent Austrian professor, only emphasized one side of that question. If you will read the able editorial in the Washington Post, it points to the fact that our educational system—the system of public schools—should be extended over that kind of population and embody it in our American citizenship. Go and build the schoolhouses, open the doors of the schoolhouses, make the necessary legislation, if necessary, compulsory, and in one generation the children of the Italian, of the Pole, of the Slav, or whatever kindred race will be an intelligent and useful American citizen. There is no objection to admitting that class of immigration. Why, our laborers and labor unions and labor organizations do not object so much to the people who will come here and do manual labor as they do to the artisans, to the men who can read and write and who will enter into active competition with them in the factories. That is the class of laborers against whom they inveigh—the artisan who can read and write.

I do not go to the extent of excluding intelligent people, artisans who can read and write; I am willing to let them come in

under reasonable regulations, provided they come voluntarily and are not brought here under contract and introduced into this country as so many cattle. If they come of their own free will, whether they can read or write is not the question; we shall need them all in our economic, industrial, and in our political system. We shall have room for them in the future as in the past.

We need the leaven of immigration; we need the new blood from year to year. The gentleman from Alabama says in a few years our blood or that of our posterity will run down and be degenerated by such immigration. I reply to him that if we shut ourselves in by a Chinese wall and do not have the influx of new blood and new immigration, always confining it, of course, to the right kind of races—to the Aryan race—the time will come when this great people will degenerate because of the want of new blood and new incentive. That is the lesson history teaches, exclusion of new blood means decay.

The only way this nation can go forth and work out its great destiny is by the same step and the same gait it has taken from the beginning, and that is to open its gates to all desirable immigrants, to those men who are willing to work; men who are honest; men who are not paupers; men who are not criminals, no matter whether they can read or write or have money; and they are the stratum from which we must draw our magnificent citizenship in the future, as we have drawn it in the past. New blood, fresh people from the parent stock of the Aryan race, brought under our free institutions, under the Constitution, under our ideas of government, will, together with our resident population, build up this Western continent and nation so that it will truly set the pace, not only in political life, but in the industrial, commercial, and moral life of the nations of the world.

Talk about morality, why, is it not true that you find immorality under the cloak of persons who can read and write? Frequently and in most instances you will find anarchy, the spirit which is against and inimical to our institutions, under the velvet cover of the so-called educated gentry who come into this country and afterwards become editors of anarchistic papers and agitators, political and otherwise.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KLEBERG. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

[After a pause.] The Chair hears none.

Mr. GROSVENOR. Mr. Chairman, I do not rise to oppose the educational test of fitness of immigrants into this country, but I want to point out what minute and unimportant value, in my judgment, will grow out of such a proposition. Nobody appreciates the value of education more highly than those men who never had an opportunity for education. There is no man holding membership in this House who knows better than I know what a weight it is to put upon a young man to be deprived absolutely of all means of education, and be compelled to make his own way by the best available sources of knowledge and information that he can get without the benefit of schools.

The difficulty that grows up in the discussion of this question is the failure to distinguish between nonintelligence and illiteracy. Therefore, the proposition to submit an educational test of any character that is properly covered by the words "educational test" is valueless, in my judgment, and harmful, in my opinion. I have not the time to work this subject out, except to point out some teaching of history on that subject.

The gentleman from Texas, in the closing remarks he made, pointed to the very suggestion I want to make. If we have any purpose in these exclusion acts, it is to benefit our country, to benefit the aggregation of our population, to protect our country from the dangers that follow the promiscuous immigration of foreigners into our land.

Now, history ought to teach us something on this subject, and I presume that the advocates of this measure will say that their object in this proposition is to exclude illiterate people from the United States in the interest of a better condition to us than would follow the promiscuous introduction of illiterate people into the country. I think there is no greater stumbling block in the way of an intelligent study of this question than the idea that education—a literary education, an education in books and letters—fits a man especially to be a citizen of the United States, and that the absence of that sort of education unfits him.

Now, looking over the history of my country, I do not find any justification for the theory that illiterate men have been especially harmful to the American Republic. Going back to the very dawn of our national existence, I find that the men who led the forces, the intellectual power, that created the great organization of Tories in this country, were all of them the very best educated men. I am going to point out now that no evil came to this country, no evil ever menaced this country, from ignorant men, and on

the other hand I affirm that such menace did come from the educated men.

Look at the teachings of the Tories of the Revolution; and I always look to those people with a kind of sympathy, for they were the "regulars" of that day, and we were the "rebels." They were the "Loyalists," as they always called themselves. But they do not stand very high in the estimation of the historian or of the American people. The leaders of that class were all of them educated in the New England colleges. Four men of one single family who were the outspoken leaders of Toryism were graduates of three of the New England colleges of that period; and some of the educated people of New England and New York and Pennsylvania and New Jersey were among the leaders of the Tory party of that day.

Coming down to 1812, when the illiterate people of this country were standing by the Government, what was happening along the coast of New England? We had a nation then, and treason consisted in just what it does now, for the Constitution had been adopted. The Hartford convention was born of the machination of college-bred men.

I had occasion to go down to that particular country on a certain occasion not many years ago, looking for some evidence of a character that might be disclosed by the muster rolls of certain regiments of New England troops. There were some regiments called out in Connecticut to defend our coast at Stonington and other points against the threatened invasion of the British army that had been attracted there by the disloyalty of the Hartford convention advocates and the men of the colleges of New England who denied that we were rightfully at war with Great Britain. And when I got hold of the muster roll of one of the companies of one of those regiments I found a wonderful sprinkling of men who signed the pay roll with a mark. There was a pretty good exhibition. One was the loyal man, who could not write his name, fighting to protect his country, and the other was the educated man, who had laid the plans that brought the enemy there and caused the necessity for calling those men out.

Who laid the foundation upon which was builded the superstructure of the idea of the right of a State to secede and go out of the Union? Who was it that educated the people of the South, and who was it that declared that he had been thirty-five years educating the people of the country, through speeches and the press, up to such a condition of opinion as at last opened the way for the great rebellion? Was that rebellion the result of ignorance and illiteracy? I am not here to discuss the right of it or the wrong of it; but whatever there was of evil in it came through the educated people who had trained the people of the South to that belief.

Now, let us look at the question in more modern times. Who have been guilty of the murders that have startled the world? Who have formed the conspiracies that reddened the ground with the blood of some of the best people of the earth? Was it an educated man who drove the dagger of death into the heart of that lovely woman, the Empress of Austria? Or was it a man educated in not less than three languages, who could have passed this educational test and come into this country? Who slaughtered the King of Italy? Who destroyed the President of France? All of them educated men. Who struck the blow that killed Lincoln? Who fired the shot that killed Garfield? Who laid the plan and murdered McKinley? Was there an ignorant man among them, judged from the standpoint of literacy or illiteracy?

Was there ever a menace of harm to the Government of the United States, either in the formation of anarchistic societies or in the development of outbreaks against the authority of law, that did not come from conspirators who were educated men? They could all have come in under this educational test, they could all have come here and taken seats, most of them, as professors in our colleges and universities, and yet you would put up that test against the harmless man who comes over here to earn his living and who has no idea of rebellion against the Government, who comes here to take what he can get and be content with that, and you would drive him out while you held out a premium in your own statute, your own legislation, to the organized conspirator against the Government—the educated criminal class who come to this country to use their educational strength and power to undermine and overthrow the liberties of their country.

Mr. Chairman, I have other views upon this particular topic and other illustrations. I know the time is very short for debate, and I shall say no more at this time, but ask unanimous consent to extend my remarks in the RECORD along this particular line and upon the direct topic about which I have spoken.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? There was no objection.

Mr. GROSVENOR. Oh, Mr. Chairman, I understand perfectly well the cheap demagoguery of any attack upon a member of Con-

gress because he does not believe in the sovereign remedy of the exclusion of illiterates. No man has a higher regard for the common-school education and the collegiate course of education in this country than I have, and I will not stop to reply to the assault made by the gentleman from Indiana. It is unworthy of a man who has had the opportunities that he has to assault others under the circumstances that surround this situation, and I regret that he should have done so.

The argument which the gentleman has made in favor of the unfitness of the illiterates to participate in American citizenship would apply with equal force and potency in justification of the disfranchisement of the colored men of the South, and I congratulate my friend from Indiana [Mr. WATSON] that he has at last planted himself upon an argument that is absolutely irresistible in justification of the disfranchisement of the colored people of the South.

If the test of illiteracy is the true test of intelligence and the true test of the fitness of the foreigners to participate in our Government, it is by like argument and by like effect and reason a conclusive argument why the colored men of the South and the white men of the South and the white men of the North and the colored men of the North who can not read and write should be excluded from citizenship, and my friend from Indiana has at last planted himself upon the indestructible argument, if his premises are correct. I do not believe any of this.

I can not better define my own position than by reproducing an address which I had the honor to make on two separate occasions last summer at certain Chautauqua assemblies. It embodies my views of to-day, and for what they are worth I here insert them under the order of the House.

THE ELECTIVE FRANCHISE.

The question of greatest moment to the future of the United States and to the people thereof has grown out of the question of the elective franchise of the States of the Union. The basis of our Government and its admitted claim of right to live is based upon the consent of the governed. The Declaration of Independence put that proposition in few words when it was said that among the inalienable rights of man are those of "life, liberty, and the pursuit of happiness," and then followed those words which have been so often wrested to the undoing of the man who tinkers with them, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." Here was the fundamental declaration of our forefathers, which we have from time to time by innumerable acts and declarations cordially and earnestly indorsed and ratified.

Acting upon this fundamental basis the States of the Union have, from time to time, fixed and altered laws and regulations touching the qualifications of voters. It has grown to be a settled factor of law in our history that Congress can not interfere to regulate or define the right of citizenship and the right to vote in the States, and that practically the only foothold Congress has that in anywise affects the relation of the voter to the Government and that fixes the qualification of a voter is to provide that unless the American citizen is allowed to vote in the several States, and if any disqualification of such citizen shall be by reason of color, race, or previous condition of servitude, that person shall not be counted to make up the representation of the State in the Congress and in the electoral college.

Here, then, is a most important and salutary provision. The State is left free to fix the qualifications of the voter absolutely. It may disqualify a man from the electoral franchise because of the color of his hair, perhaps, unless there is something in the constitution of the State which forbids it; but if the disqualification touches or is affected by or is based upon the color, the race, or the previous condition of the voter, then Article XIV of the Constitution applies, and here is the wording:

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

Now, the law of the country, it seems to me, and I think there is no dispute about that, is very plain and simple. If a State of the South sees fit to say that the colored man of the South shall not vote because he is a colored man it has a perfect right to do so, but such State must submit to a reduction of representation in Congress and in the electoral college. The brave old Senator, JOHN T. MORGAN, of Alabama, a man who has no idea of indirection and no toleration for quirks and quibbles, presented in the Alabama convention a clean-cut proposition to disfranchise the

colored man because he is a colored man, and to submit to the terms of the Constitution of the United States and stand the re-demption.

But throughout the country, mainly at present limited by the Mason and Dixon line, the wit of man is being brought into action to devise a system that shall not be obnoxious to this provision of the Constitution, and which shall at the same time operate to disfranchise the colored man. Hence all sorts of schemes have been devised, and the false and fraudulent pretense that education and intelligence is to become more fully than heretofore the basis of the right to franchise is being insisted upon. In some instances no doubt this is an honest and sincere proposition, but in many other instances the humbug of it and the fraudulent character of it is too manifest.

I have no time to discuss at full length and in great detail the fraudulent character of the attempts that have already been made, and I do not wish to interfere and discuss and to express opinions in regard to matters and measures which are purely within the legitimate purview and jurisdiction of the States themselves. That is to say, I want to discuss the question from the standpoint of what is best for the nation at large, and what is fair and just to the individuals affected, but by no means denying to the States a perfect right to deal just as they see fit with this very mighty question. But the people of the whole country have a right to be heard. They have a right to discuss the question which, in my opinion, is fraught with mighty consequences of evil to the body politic of the United States itself.

On this occasion I shall mainly give consideration to the discussion of the claim set up that it is at this late date wise and proper to take from men already exercising the right of franchise the ballot because of their supposed unfitness to be trusted, because of their ignorance and hence their lack of intelligence. First, I may say that it is a dangerous thing to take from a man that immunity and that privilege which he holds dearest of anything on earth. It is one thing to provide that the man coming to this country in the future shall have to comply with a new outfit of qualifications or that he shall not begin to vote. It is one thing to say when the youth becomes 21 years of age he shall not vote unless he possesses certain qualifications, but it is a widely different and other thing, based upon widely different and other questions and affecting other and widely different interests, when you take away from a man who has been for years a voter the right and privilege to vote.

In so many words I put it, a punishment, a penalty without conviction, and he goes forth stripped of his privilege and branded as an unfit and incompetent man. Can you imagine anything more horrible to the mind of a man, even though he may not be versed in the literature of his country or able to read in the various languages of modern education, who for thirty-odd years has been steadily voting at the polls for or against men and measures, and suddenly, without notice to him, without his consent and without his day in court, the right to vote, the great immunity, the great prerequisite and privilege of an American citizen, is taken from him.

The man of the South when upbraided on this question calmly says to you, "Look at Massachusetts, the model of States, and the home of model statesmanship; they have disfranchised men by reason of their illiteracy." I answer that two wrongs do not make a right; but there is this mighty distinction between the legislation of Massachusetts and the legislation proposed here and now under discussion. In Massachusetts no man who had been a voter was disfranchised by reason of illiteracy, but it was the coming man, the coming voter, who was coming to the polls upon whom the test was fixed. There is a vast difference. In one case you fix a qualification upon the claim of the voter and in the other case you strip from a person a privilege which he has for years and years enjoyed.

Here is the great difference and here is the fundamental outrage of this whole transaction. It is the taking away from the man of the right which he has enjoyed. But I will not go into details. I want to discuss another proposition. It is that this system now being sought to be introduced into the Southern States is a plan to take from the voting list the men who are dangerous to the welfare of the Commonwealths because of their illiteracy, and therefore because of their unfitness to discharge the duty of citizenship in this direction.

It has not been said at any time that the ignorance of a man should relieve him from taxation. It has not been said that because he can not read he need not pay taxes. It has not been said that because he can not read a statute and does not know of its existence he shall not be punished for a violation of that statute. By no means. That would startle and shock the very souls of these men. Ah, no. The man, however ignorant, however illiterate, however unfortunate in this regard, must nevertheless pay his full share of the cost of running the government.

Why should a man be put to the expense of citizenship and be

debarred from participation in the affairs of citizenship? Why should a man be punished for violating a statute that he has never read and can not read and the existence of which he never knew anything of, and yet be refused the right to vote for a man to alter, amend, or repeal that statute? I leave the questions naturally incident to this phase of the discussion to be solved by the statesmen of to-day who are seeking to undo the history of the past and to write into the new constitutions a guaranty against the unfavorable operation of existing statutes.

But I want to discuss another phase of it. Is the ignorant man necessarily unfitted to be a voter? By the word "ignorant" I mean illiterate, uneducated, not versed in letters, not able to read the English language or the French language or the German language; not able to translate Greek and Latin, even as ignorant of Greek and Latin as 99 out of every 100 graduates of American colleges are at the end of ten years after their graduation; not capable of understanding the Constitution of their country.

Permit me here to deflect for a moment. The condition upon which franchise is based in one of the States is that the person claiming the right to vote shall be able to understand the constitution of the State in which he lives, and yet there is not a day passes in that State that there is not more or less discussion among the best educated men of the State as to what the constitution of the State means.

Why, think of it. As I have already shown, for one hundred and twenty-odd years the best legal ability of this country, the ablest lawyers of the country, have been arrayed on two sides of the mightiest question of constitutional construction that has ever fallen to the lot of man to be affected, and generations have come and gone and the discussion has gone forward, and decision after decision of the Supreme Court has been made and overruled, and quarrels have risen and gone forward as to what the decisions of the Supreme Court meant, and the poor old Constitution has been kicked and cuffed about in the highways and byways of the country almost unceasingly. And yet here is a qualification of the voter that he must understand what the Constitution means.

Why, take our Supreme Court, with the nine great judges, and ask them to say what is the meaning of the words "the United States" in the taxing power, or rather the limitation of the taxing power, in the Constitution, and we will have three different opinions from that august body as to what the real meaning is, and yet the man who belongs to the class that builds the wealth of the earth and dwells in the earth and brings forth the blessings of Providence as the result of his toil is to be deprived of his right to vote because he differs with a set of partisan judges about the interpretation of the Constitution.

But I am not through on that head. No man appreciates more highly the value of education than I do. No man appreciates more keenly the disadvantages of no education than I do. No man need tell me how weak is the man who, because of poverty in his youth, was unable to secure the blessings of a liberal education. No man need to tell me how valuable to him has been any scrap of education that he may have acquired in any way. Our forefathers, when they established the Northwestern Territory and set the greatest example of patriotic legislation that has ever been established among men by the passage of the ordinance of 1787, which was in point of fact the keynote of all these constitutional discussions, put into that immortal instrument that "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

No truer words were ever uttered, and time has developed and made unimpeachable their wisdom. But the real question is not involved in that opinion nor in the experience that has grown therefrom. The question that we are here to solve is this: Shall it be established in the United States that because a man can not read and write, he is therefore necessarily and for that reason alone unfit to vote at the elections? That is the whole of it. It narrows itself right down. It does not broaden out, but it grows more and more narrow as you investigate it.

If that be true, if the illiterate man is not fit to be a voter, if the true test of fitness is the power of the individual to read and write, there ought to be some reason shown for it. No honest man will say that the right to vote should be taken from these illiterate persons unless it can be shown that there is a public necessity for it. To strip a man of the right to vote must be based upon some public reason, and it must appear to be a duty that is due to the public at large, or else it is wrong, and will be so held by all thinking men.

What is, therefore, the public reason, if there be one, why the man who can not read ought not to be allowed to vote? Is it something that he and the men like him have done? I take it that it will hardly be said that because some of these men have voted a different ticket from that which the constitutional tinkers vote, that therefore the power of the majority to disfranchise may be rightfully exercised. I think that the most energetic exponent of

relatives will permit it, 1,500 miles away to the asylum in Washington, D. C., or to asylums of sister States that will charitably receive them.

It is on the Calendar, ready for the action of the House.

If the Speaker and the gracious Master above do not help those 400,000 people and these unfortunates, it will be because their prayers have gone unanswered. [Loud applause.]

APPENDIX.

[House Report No. 956, Fifty-seventh Congress, first session.]

TERRITORY OF JEFFERSON AND GOVERNMENT FOR THE SAME.

The Committee on the Territories, to whom was referred the bill (H. R. 12268) to create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes, respectfully report:

The committee believe that a Territorial form of government, such as this bill provides, will put in the hands of the people of the Territory now known as the Indian Territory the machinery for correcting the evils there existing, satisfy their present needs, and go far toward giving them the legislation demanded by the population and resources of the country. There exist conditions in the Territory that can not be adequately and timely met by Congress, and can be responded to only by a local legislature.

The lands embraced in the boundaries of the Indian Territory are a part of the Louisiana Purchase made under the Administration of President Jefferson. This Territory, excepting that part embraced within the Quapaw Agency, was created by a number of treaties entered into at different times between the United States, the Cherokee Indians, the Muscogee or Creek Indians, and the Choctaw and other Indians. The detailed provisions of these treaties may be found, together with a history of the statutes and departmental orders, and the relation of the Government to the various Indian tribes now occupying the Territory in part, in Senate Executive Document No. 78, Fifty-first Congress, first session, being a letter from the Secretary of the Interior, dated March 12, 1890, to the President of the Senate. Previous to the immigration of the tribes specially mentioned to the Territory during the years 1831-1838, under the treaty stipulations, they resided in the States of Alabama, Georgia, Mississippi, and Tennessee.

The act entitled "An act for the protection of the people of the Indian Territory, and for other purposes," approved June 28, 1898, tended greatly toward alleviating the deplorable conditions then existing in that Territory; it enabled the development of the Territory to increase, as well as afforded greater security for life and property, but is inadequate to meet the present conditions which are constantly changing. The act authorized the organization of towns having 200 inhabitants or more to possess the powers and rights of similar towns in the State of Arkansas, but made no provision for the protection of life and property and educational facilities outside of the corporate limits of the towns. The people who live outside of incorporated towns are afforded no police protection except through the United States marshal's office; in fact, the only executive government in the Territory is a government by United States marshals.

The Indian Territory, which comprises an area of 31,400 square miles, by the census of 1900 has a population of 391,960, of which only about 75,000 are Indians or connected with the Indian tribes. The people are intelligent, industrious, enterprising, and law-abiding, accustomed to live in a different state of society and to participate in the affairs of local self-government.

According to the census, there are in the Territory 159,125 persons of school age, of which 32,000 are Indian children, and the remainder are not members of the Indian tribes. Of this class, 29,900 live in the incorporated towns and have the advantages of free school facilities (public schools being maintained in incorporated towns under power conferred by the Curtis Act), and the remainder, 97,225, have no free school facilities whatever, there being no means by which they may be maintained in the rural districts.

The real estate in the Indian Territory is at present exempt from taxation, the title to the whole body of the lands outside of the towns being yet in the Indians, but the taxable property is sufficient to support a Territorial government. The following data, obtained from reliable sources, give a conservative estimate of some of the property subject to taxation:

Ninety incorporated towns, including only about 75,000 of the population, have an assessed valuation of taxable property of \$30,000,000. A conservative estimate of the taxable value of unincorporated towns is \$5,000,000. There are 1,500,000 head of cattle; 400,000 head of horses; 65,000 head of mules; about 400,000 hogs, and 25,000 head of sheep. There is invested in coal-mining and coke-oven properties about \$4,000,000. There are 1,415 miles of railroad in operation, and about 300 miles now under construction. A conservative estimate of the entire taxable wealth of the Territory could not be less than \$60,000,000. No estimate is made of corn, wheat, oats, and cotton, which are also extensively produced in the Territory.

The Commission to the Five Civilized Tribes, in its report to the Secretary of the Interior, speaking of what the Commission found in the Territory when it went there in 1893, said:

"Instead of an arid Western plain, occupied by the savage of tradition, as many suppose, the Commission found a Territory not greatly smaller than the State of Maine, rich in mineral and agricultural resources and in valuable timber; a country which has been occupied and cultivated for over half a century, whose fertile valleys yield bountiful harvests of Southern products, and whose prairies graze 250,000 cattle yearly; where cities have sprung up, through which railroads have been constructed, and where five distinct modern governments existed independent of the sovereignty of the United States."

In 1891 President Harrison, in a message to Congress, called attention to the conditions existing there and to the need for some organic change in the relation of these Indian tribes to the United States, and recommended that the change involve the acceptance of citizenship by the Indians and representation in Congress.

Congress, by act approved March 3, 1901, conferred citizenship on every Indian in the Indian Territory.

With each year there is a large influx of people from almost every State in the Union seeking homes and occupations in that country, vastly and rapidly increasing the population, so that the necessity for organic change and representation in Congress is much greater than when President Harrison first called attention to it.

This bill gives to the Indian Territory the name of Jefferson. It seems fitting that from the vast tract of land included within the limits of the Louisiana purchase, possessing such wonderful resources, some portion should commemorate the name of the President who brought it under our flag.

The government provided for in the bill is in general similar to that provided for other Territories in the United States. The treaty rights and land titles of the Indians are fully respected, and it does not conflict with the Indian tribal organizations as secured to them by law. The Indians are protected in all of their rights. The judicial system now in the Territory and the laws now in force are continued.

The people of the Territory are without adequate roads; they have no schools in the rural districts; they have no asylums for the unfortunate, for the deaf, dumb, blind, and insane, and not even provisions for the holding of coroners' inquests. They can not have these because of no law for local self-government. The laws in force there are totally inadequate and necessitate a continual clamoring at the doors of Congress for new and needful legislation, making their claims in the lobby for lack of representation on the floor—a body unfamiliar with their conditions. This manner of securing legislation is fraught with obvious objections, as is evidenced by the long and persistent petitioning of Congress for such laws as have been heretofore enacted.

Those who prosper under the chaotic conditions are sufficiently influential to prevent the enactment of many needful laws, to the great injury of the majority of the people. Whereas with a local legislature composed of persons directly interested and familiar with the conditions and wants, and directly responsible to the people, the embargo on the enactment of necessary and useful laws is removed. This idea is further impressed by a message of President Harrison to Congress in 1889. Referring to the negotiations for opening what was known as the "Cherokee Strip," now a part of the Territory of Oklahoma, he said:

"The cattle syndicate now occupying the lands for grazing purposes is clearly one of the agencies responsible for the obstruction of our negotiations with the Cherokees."

The governor of Oklahoma, in his last report to the Secretary of the Interior, says:

"Affairs in the Indian Territory are somewhat chaotic. It is a question of legislation and not of administration which presents itself. The administration, under the present laws and conditions, must necessarily move slowly. There are too many questions to consider and difficult problems to solve for the Executive Department of the Government to be charged with the responsibility of solving them at long range, and it is practically impossible for these questions ever to be satisfactorily solved until representatives of these people, who are responsible to the people and community directly, are elected to Congress with the responsibility of working out these difficult problems. The Indian Territory situation is without precedent in this country. * * * What the Indian Territory most needs is wise legislation, which will lay the foundation of an American community with proper provisions for schools, churches, convenient highways, and the exercise of political rights and individual responsibility."

In the opinion of the committee it is certainly an anomalous situation, which demands prompt relief, that a section of country almost as large as the State of Indiana and occupied by 400,000 people should be left without the protection of civil government.

The committee believe that this bill will correct all of these evils and grant to 400,000 American citizens rights to which they are entitled.

The committee therefore recommend the passage of this bill without amendment.

THE PRESS OF INDIAN TERRITORY ON THE PROPOSED TERRITORY OF JEFFERSON—FREE SCHOOLS, SELF-GOVERNMENT, REPRESENTATION IN CONGRESS—H. R. 12268—PRESS ACCEPTS MOON BILL.

It will be seen that these newspapers represent all sections of the Territory, all political beliefs and of various convictions regarding ultimate statehood, yet in unison they speak for their people in demanding local self-government of the present Congress:

CHEROKEE NATION.

[Chelsea Commercial.]

The question of single and dual statehood has been a long-discussed one that has not of itself evolved a solution or even approached one. * * * In the meantime we will see the Moon bill passed and the B. I. T. started on a new era of prosperity. It is the duty of all to put our shoulders to the wheel for the Moon bill and stay with the fight until we win.

[Claremore Progress.]

Prospects of legislation for the Indian Territory all point to the adoption of the Moon bill and the Territory of Jefferson. So let it be. As Messenger has pointed out before, there are many grave errors in the Moon bill, but it is at least a step in the right direction, and the other steps will come a little later on. After the ice is once broken it will not be so difficult to secure the legislation of which the country actually stands in need of. We can not expect to get just what we want on the first throw of the dice. We are in favor of the Moon bill, not so much because of what is in it at present, but in spite of that. Other things will follow.

[Tablequah Arrow.]

The bill introduced in the House of Representatives providing for a Territorial form of Government for Indian Territory is conceded by the Territorial press as the best measure, by far, ever offered for the relief of the inhabitants generally of this country, and when Congress adopts the measure it will be the taking of the initial step to place one of the brightest gems in the starry crown of American liberty and thus honor and guarantee the perpetuation of the name of one of the greatest statesmen and patriots in history. If this bill is passed, and every indication is that it will be, it will be an assurance that at some future time a great Commonwealth will bear the name of the illustrious Jefferson, and that Commonwealth will be the most beautiful country on God's footstool—Indian Territory.

CHICKASAW NATION.

[Sulphur Springs Journal.]

The South McAlester Capital is red hot for the Moon bill, as it and every other paper in the Territory should be. This is about all we can hope to receive at this session of Congress.

[Ada News.]

The Moon bill, creating Jefferson Territory, is favorably accepted by the people. It's the unanimous verdict of those with whom we've talked that it's the best yet proposed except statehood itself.

CREEK NATION.

[Wetumka Herald.]

The hope of the people of the Indian Territory is again aroused over the prospects of a Territorial form of government, and to-day those prospects are bright. The people of the Territory have succeeded in convincing many Congressmen that not only does this Territory need a government, but that it deserves it. The justice of our cause is what makes it strong—makes it irresistible. And while many are convinced and favor the enactment of a law giving us a real government, yet there is a strong opposition. The pie counter is large and profitable, and only the most persistent efforts should be our motto until the Moon bill has been passed by both Houses and approved by President Roosevelt.

us to help an unfortunate people, to remove the bonds of oppression that keep them from the guarantees of life, liberty, and the pursuit of happiness, and to give them the simple and usual form of Territorial government that will enable them to educate their children, to care for their poor, their insane, and incorrigible.

Indian Territory, 400,000 strong in people, three-fourths of whom but a short time ago were your constituents and mine, is asking it. These people are the best yeomanry from every State of the Union. Eleven thousand of them alone born in the State of Illinois, and other States, according to conditions, likewise represented; thousands from Maine, Massachusetts, and the Eastern States.

Why deny these people some civilized government when they had good governments back at home?

Of the 400,000 inhabitants of this Territory 75,000 are Indian and mixed blood; but these are not Indians as many of us understand the term. One going there can scarcely pick out, from their appearance and by their action, 10,000 as Indian, they are so mixed with the white—so like them in their pursuits and conduct. There are scarcely any blanket Indians in the Territory—not nearly as many as in the State of Kansas. There are fewer blanket Indians than confessed dudes in the streets of Washington or New York or the larger cities, each of which class is equally baneful, one to the upper and the other to the lower stratum of society.

Indian Territory is the land of the Five Civilized Tribes—the Cherokee, Choctaw, Chickasaw, Creek or Muscogee, and the Seminole—originally from Alabama, Georgia, Mississippi, and Tennessee.

The men are active in every avenue of business. They were made citizens of the United States by an act of the last Congress.

They are educated and alert, and people from the States to their country must understand this, or going there they will, by their intelligence, thrift, and industry, be driven from the field of the professions, from business, from the farm, and the ranch. Indian Territory in agricultural lands is one of the richest places in the world.

Each one of these five nations has a fairly good government of its own. There are, however, 325,000 of other people in this domain, which is about the size of Indiana and but little less in size than Maine.

In 1874 the Mansfield Digest of Laws of Arkansas was compiled in that State, and by acts of Congress subsequently was in part carried to the Indian Territory. Without codification or revision these remain, and, coupled with the Curtis Act of 1898, gave some measure of relief to towns of 200 or more people, giving these towns school facilities. These towns comprise a school population of 30,000 and a total population of 75,000.

Those in towns have some facilities and a partial though crude form of organized government. The laws, respectively, of the Five Civilized Tribes take care, in a crude way, of their children and their people.

But outside of the Five Civilized Tribes and the 90 incorporated towns, the 100,000 school children have no schools and no means of public education, and the people have no government that gives them protection or secures their rights save the practical rule of anarchy that might makes right, and brute force and violence triumphs over all.

So far as the government is concerned they are left to grow up in ignorance and vice, to fill the houses of corrections and prisons, and if they are not treated better in after life than their Government treated them in youth and adolescence they will become wanderers and outcasts on the face of the earth. The executive government is made up of three United States marshals, and in the enforcement of law they are aided by three United States attorneys.

These people have no laws to give them public roads or bridges or ditches; they have no schools; they have no asylums or eleemosynary institutions. Twenty-five daffy, demented, and silent witnesses from the Indian Territory in the Government Insane Asylum across the Potomac River from Washington, D. C., speak more eloquently than words can tell of the woes of 400,000 American citizens. They were railroaded 1,500 miles away from friends and home to get the only treatment that this Congress furnish to these unfortunate people, and thus you see the injustice of government.

Untold scores of these unfortunates are scattered throughout the eleemosynary institutions of the border States, shifted away to other States to get treatment for them and protection for those who remain.

Within two weeks three insane came to the Washington Asylum, sent by the court of the Indian Territory, and in each case the criminal charge was assault, and they were acquitted because insane. It does not require a shrewd guesser, and I suspect that the court in desperation at the intolerable conditions stultifies itself and twists the law to get the refuge of asylum for those who maybe should never have been charged with crime.

Let me read what was said by Mr. S. B. Bradford in January, 1902, who was then United States commissioner, and since deceased, in his testimony before the committee:

I wish to give you a few facts only. We have 50 national banks in Indian Territory and we have 37 private banks. We have 75,000 school children absolutely without any school privileges. We have insane people chained down like wild beasts, in their little cabins, because there are no laws for their relief. We have no public roads in Indian Territory except those voluntarily constructed by the people themselves. We have no bridges or schoolhouses outside of the organized towns and the cities except those built by private subscription. There is no law to build a bridge and not a syllable of law for the issuance of bonds to build schoolhouses, waterworks, or anything for the purpose of saving property, except in the Creek Nation.

The Committee on the Territories had hearings at that time, which were printed and may be had by members.

That committee considered the bills before it and authorized the distinguished gentleman from Tennessee [Mr. Moon] to report favorably the bill, which he did in a report that will convince the impartial of the needs and necessity for this legislation.

This report was made on March 14, 1902, and provides the usual and simple form of Territorial government. Since then the bill has hung on the Calendar, between heaven and earth, like Mahomet's coffin, not in silence, while those people suffer, but while they clamor loud and long for the United States laws to protect them from the oppressive conditions under which they are living.

The report by the gentleman from Tennessee [Mr. Moon] is a succinct and careful statement of facts and reasons, and I will append it to my remarks. Some guardians, self-constituted, may claim that the people are not ready for or able to bear self-government, but this is refuted by the universal expression of the people themselves and the press, expressed publicly and in a private way. It is refuted by the nearly 400,000 of people, by the richness of the soil, by its 50 national and 37 private banks, with a capital and surplus of over \$3,000,000 and deposits of over \$7,000,000; by its \$60,000,000 of assessable personal property, \$4,000,000 in coal mining and coke ovens, 1,500,000 cattle, 400,000 horses, 65,000 mules, 400,000 swine, 25,000 sheep, and 1,500 miles of railroad in operation and 300 more under construction, not to mention wheat, corn, oats, and cotton, the last year's crop of the latter aggregating over 200,000 bales.

There are 3,000 miles of telegraph and telephone lines in operation.

Yet, in this theater of modern endeavor and civilized work, if a man die suddenly or mysteriously the law does not give him the poor privilege of a coroner's inquest to ascertain the cause of death. And here it is that the insane are chained to a tree or to the floor in their little cabins.

Talk to me of the discontent in Ireland, tell me of the woes in foreign countries, but rather give me encouragement for this Territory so near to home.

President Harrison recommended a reform, a change of government, and that these people should be represented by a delegate in Congress. He said that "the cattle syndicate now occupying the land for grazing purposes" interfered with the negotiations with the Cherokee Nation.

Are they still there? I understand they are, and are as perverse and arrogant as ever.

The exploiters are the ones who declaim against this relief, this act of justice to these people. The governor of Oklahoma in his last report recommended the enactment of legislation that would remove the chaotic state there existing. He said:

Affairs in the Indian Territory are somewhat chaotic. It is a question of legislation and not of administration which presents itself. The Administration, under the present laws and conditions, must necessarily move slowly. There are too many questions to consider and difficult problems to solve for the executive department of the Government to be charged with the responsibility of solving them at long range, and it is practically impossible for these questions ever to be satisfactorily solved until representatives of these people, who are responsible to the people and community directly, are elected to Congress with the responsibility of working out these difficult problems. The Indian Territory situation is without precedent in this country. * * * What the Indian Territory most needs is wise legislation, which will lay the foundation of an American community with proper provisions for schools, churches, convenient highways, and the exercise of political rights and individual responsibility.

I am not certain what the course of events will bring forth, but, speaking for myself, I believe that the policy of uniting at some future time Indian Territory to Oklahoma will be wise and well. The omnibus Territorial admission bill recently passed provides for that, and the giving of Territorial government under the Moon bill to Indian Territory, it seems to me, will be a long and wise step in the accomplishment of that desired end. This bill has slumbered on the Calendar for months, not in silence or in peace, but in a dreadful nightmare, for every breath it drew measured the loss of education by 100,000 American school children in the Indian Territory; every sigh brought up the discontent over the injustice of Congress. This bill is bound no closer to the Calendar than are the unhappy and violent insane, chained to the trees and the floors, awaiting to be carted, if their

men might have voted, while thousands of men who carried muskets in defense of the country would have been turned aside. This illustrates Mr. Gladstone's suggestion that the most dangerous man, if he be an immoral man, is the best educated man. Who are standing to-day in the United States of America as a great insurmountable bulwark of patriotism and protection to these institutions of our country that we love? A great army of educated men, I admit, but also a great army of men who would be disfranchised under the Maryland law.

Who carried the muskets that saved this Union and all its blessings? Educated men? Certainly. Illiterate men? Who dare deny it? There was no test made in 1860 and 1861 when the Government cried out in its agony, "Save, or we perish." The soldier who was enlisted and who put down his name was not asked to define the principles of the Constitution, and when he marched to battle and fought for his country and came home bearing the old flag in triumph it was not a condition of the warm reception of the people that he should stand a literary examination, and his pay was handed over to him with the same cordiality of the paymaster when he signed his name with a mark as though he had signed it in the most flowing chirography.

Who was it, when the wise Americans believed that the best institutions and purposes of our country were menaced by the falsest of all false dogmas of politics, came forward in response to the demands of patriotism and none other and voted to strike down the hideous monster that threatened the welfare of the community? Were they educated men? A vast proportion of them were, but a contingent without which victory was impossible were the men who could not read or write. But you say the number is small; then I say, Why disfranchise them? If you say that all these great things have been worked out, all these achievements have been the result of the action of educated men, then I say, Why strike this cruel blow? By that argument you destroy the proposition of necessity and you lead a crusade of cold-blooded cruelty when there is no need of it.

Let me put the argument in its concrete form. All these glorious results have been worked out from the first by the greatness and glory of the education of the country or by the cooperation and patriotism of the illiterate men of the country. If by the latter, then they should not be punished, for they have been true and patriotic. If by the former, then there is no need of this legislation. Either we have come to this condition of glory by the help of these ignorant men and because they were powerless to do harm, or else we have come to this condition over and against their power to do harm, and in either event the argument is simply unanswerable.

Thus it will be seen that this crusade, at this late date, when for thirty-odd years, under present conditions, we have tested this question, is purely an unnecessary assault and an unnecessary changing of conditions suggested by no demand of the hour.

There is another phase of this matter that is worth considering. You can not have a disfranchised class in a free government without making of that class enemies of the government. Take the State of Maryland as an illustration. There is no more patriotic State than Maryland; no State whose citizenship is more in harmony with the institutions of the country than Maryland. By the Gorman act it is proposed to disfranchise about 30,000 of the voters of Maryland, men who now and for many years have been voting.

These men are to be taken up and, without a day in court, are to be stripped of the highest right of an American citizen, a right vested, as I say, by every principle of humanity and common decency. It is to be done in the interest of a political party, as it will be done everywhere in that interest, if done at all. Think you that the disfranchised men will be fond of and faithful to the institutions of Maryland and the United States, or will they stand aside branded, condemned, assailed, a class second only to the imprisoned and the criminal and the vicious, and will they not hate a Government that thus treats its citizenship?

There will be men go to the polls in Maryland next November who, within a generation, have marched to the muzzle of the enemy's guns in the war for the Union, and they will be turned aside as unfit to vote because they can not read. Think you that they will love the country for which they formerly fought, or will they be an organization of enemies of the country, enrolled, organized, sent forth? And there is more than that. They have sons and sons-in-law. Think you that the son or the son-in-law of the man known to be faithful and honest and upright who is thus deprived of citizenship will be friendly to the power that disfranchised the father or the father-in-law? Will the coming young man love a country that took the services of his father in the war that saved the Union from destruction and then turned around and forbade that man to vote? Think you that that son will be a loyal and loving citizen of the commonwealth, or will he and his boy go to the polls to punish the party that has dared to thus stigmatize his father?

I have thus far not discussed the subject of the negro, but I may say that all I have said of the loyalty and faithfulness to the Government of the illiterate white man can be said as truly in as large degree, at least, of the colored man. He is loyal to this Government. He believes in it. He will follow the men who are loyal. I wish here to incorporate a statement taken from official figures in regard to what the colored man has done. I quote from a recent speech by Mr. George H. White, a colored man and an ex-member of Congress from North Carolina.

In the past thirty years the illiteracy of the colored race has been reduced 45 per cent. They have written and published nearly 500 books. We have nearly 300 newspapers, 3 of which are daily. We have in practice nearly 2,000 lawyers and as many doctors. We have accumulated over \$12,000,000 worth of school property, and \$40,000,000 worth of church property. We have about 140,000 farms and homes, valued at \$750,000,000, and personal property valued at \$170,000,000. We have raised \$11,000,000 for educational purposes.

We are operating successfully several banks and commercial enterprises in the Southland, including a cotton mill and a silk mill. We have 32,000 teachers in the schools of the country; we have built 20,000 churches, and support 7 colleges, 17 academies, 50 high schools, 5 law schools, 5 medical schools, and 25 theological seminaries. We have done this under the most adverse circumstances, in the face of lynching, burning at the stake, disfranchisement of our male citizens, and the violation of our women; with the factories closed against us, no negro permitted to be an engineer or conductor of any railroad train, most of the mines and the labor unions closed against us, and few negroes permitted to be employed in our mercantile stores.

And I further quote a statement of what the colored man is doing from the business standpoint in the United States from a statement made by Hon. Judson W. Lyons, the Register of the Treasury:

The colored race is playing a much more prominent part in the industrial activities of the country than is ordinarily supposed. It is producing 80 per cent of all the cotton grown. The crop of last year was 10,000,000 bales, at an average price of 10 cents a pound, making \$400,000,000 as the value of the cotton produced by the colored people. On this cotton crop of America is dependent every person employed in cotton manufacturing in either this country or abroad—millions of families who are dependent for their chance to earn their daily bread upon the production of American cotton, not to speak of the uncounted millions in China, Japan, and Europe, who wear cotton goods and are therefore dependent upon the labor of those who produce the cotton from which these goods are manufactured.

The colored people of America produce easily 75 per cent of all the rice that is produced in this country; 90 per cent of all the sugar and molasses, and 75 per cent of all the rosin and turpentine in the raw state; 65 per cent of all the corn that is grown in the South, and a like proportion of the output of all the iron and coal mines of the South. In every industry that entails outdoor labor in the South the colored man is doing the major part. Without him the great wave of prosperity and industrial progress that is now sweeping over that section would be impossible.

Thus it appears that the colored race has reduced the condition of illiteracy 45 per cent, and that, too, under all the troubles and turmoils under which they have labored, and if left alone and encouraged the cry of illiteracy among the colored men will gradually and indeed at last rapidly diminish.

Mr. SHATTUC. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. WATSON].

[Mr. WATSON addressed the committee. See Appendix.]

Mr. ROBINSON of Indiana. Mr. Chairman, seldom will a member or committee of the House be called to defend when legislation is unenacted and plead in justification that they have done all that can be done under the rules of the House in the line of a public duty.

I speak for myself rather than for the Committee on the Territories, of which I am an humble member, but what I say applies as well to it and to all its members. The action of the committee speaks for itself. The Democrats and the Republicans should cease talking of the Louisiana purchase, should not hold expositions to commemorate it, should not refer to it in partisan debate till the last unorganized vestige of it, Indian Territory, is given an organized form of government worthy of the name.

It is a reflection on the Republic when any part within its borders has no civilized government, and it is a no less reflection when known that the only part where anarchy practically prevails is a part of the Louisiana purchase.

The people of Indian Territory desire the security and benefits that a Territorial form of government will give them, the protection to their rights and the safeguarding of their interests—such as an American citizen deserves and ought to have.

If these people who are asking you all by letter to give them this do not receive it at this session of Congress, it is not the fault of the members of the Territory Committee, or of that committee which has unanimously expressed its judgment in favor of it. That committee has performed its duty, and the burden now rests upon the House, upon all its members, and you must answer to your thousands of former constituents who have gone there and to those who favor it who have remained at home for this failure to give the rights due to American citizens. You talk of cruelties in foreign lands, you have something akin to cruelty and oppression near at home, within continental United States itself. Members without number have received letters. Members of the committee have been besieged by them, asking

the idea of disfranchisement by the majority of the minority will concede that the ground for it must be a different ground from that. I assume that it will be said that per se the man who can not read can not be intelligent, and therefore ought not to vote.

My answer is that the record of the voting that has been hitherto done in this country does not bear out the suggestion, and voting in the United States is a record of wisdom. By some means we have nearly always voted right in the United States. Has it been a triumph of education and intelligence over illiteracy and ignorance? Has it? Will the supporters of this new idea assume that responsibility? When the people of the United States by an overwhelming majority of those who voted decreed that Abraham Lincoln should be the President of the United States, and with it that the dogma that the Constitution went everywhere and upheld slavery in the Territories should be wiped off the slate of American ideas, was that a bad vote?

When the American people voted that the war for the upholding of the Union was not a failure, and that Grant and Sherman and Sheridan and Lincoln should be upheld, was that a bad vote, an unwise vote? When down through the whole period from 1864 to 1896 the American people voted as one man to uphold the credit of the Government and dig up by the roots the fallacy of financial humbuggery that was invented, and voted to destroy the idea of irredeemable paper money, and voted to destroy the idea of two coins in this country, one of 100 per cent value and another to be half that ratio, was that bad voting? Was it?

When the people of the United States in 1896 and 1900 voted to tear from the throat of demagoguery the doctrines of anarchy, the doctrines of bad money, the doctrines involved in all the isms that pervaded those two campaigns, was that bad voting? When the people of the United States, with the cry of imperialism ringing in their ears, were told that the Constitution was being overthrown, that imperialism and czarism were to absorb the Republic, and that the Government of the United States must be withdrawn from the islands of the sea and our flag come trailing home in disgrace and dishonor, and the people of the United States by an overwhelming majority voted the other way, was that bad voting?

So you see you must look elsewhere than at the general results to establish the proposition. If during the next thirty-six years this country shall progress with one-half the ratio that it has during the last thirty-six years it seems to me that it will be idle to appeal to the people of the country to recognize the voting force of the country because harm has come to the country by reason of illiteracy and ignorance among the voters. This brings me to a point in which I feel great interest. First, has it been the ignorant and illiterate that have menaced harm to the United States, been disloyal and unfaithful in the hour of her need? And second, is it the ignorant and illiterate that to-day menace the future of the Republic?

Let us see. It was not the illiterate men of the old thirteen States that stood by King George and became Tories and perpetrated war and murder against the loyal people of the colonies in the great struggle for independence. Take the history of the Loyalists of New England and you will find that a large proportion of them were men of liberal education, graduates of the colleges; all of their leaders men of education, men who could read and write, and, therefore, wholly qualified, under this new system of salvation, to be great citizens of a country. Benedict Arnold was not an illiterate man. He was an educated man, and this statement applies with truthfulness to the whole body of men who stood by King George.

In 1812 the men who sought to weaken the power of the United States in the prosecution of the war, were they illiterate men, or were not the men who stood by the Government in 1812, many of them, illiterate men? History tells us that there was a period of time when there was a convention held somewhere in this country to take the side of Great Britain in the struggle of 1812, and history tells us that during that critical period of time the British fleet off the coast had opportunity furnished them to beware of the proximity of danger by certain signal lights which were given a flaunting in their interest. So says history.

Were those men of the Hartford convention ignorant men? That was a critical time in our history, that was a time that tried men's souls, that was a time when the line was sharply drawn. Were the men who took the side of Great Britain illiterate? I think not. But I will give you an illustration. Right when this treason was being enacted the British ships had been lured to the destruction of certain towns on our seacoast and the men of the country surrounding were called upon for patriotic duty and organized themselves into companies and regiments and flew to the seacoast to fight John Bull and prevent the burning of the cities, and not very long ago I had occasion in another interest and for another purpose altogether to hunt up the pay roll of one of those regiments and I was amazed at the large per cent of men who signed those pay rolls for the meager pay they got with the badge

of illiteracy, their mark, but they were loyal men and they were standing by their Government, and they were seeking to counteract the treason of the men of education who had plotted against their country. Let us go forward. I only point to these landmarks, by no means exhausting the subject.

Go to the controversies of 1860 and back of that and trace the period of time when it was made possible that a great war that should devastate the homes and destroy the best fruits of our civilization should spring up for the overthrow of the Union, was it ignorant and illiterate men who plotted? Was it men who could not read and men who did not understand the Constitution and who had never graduated from schools or colleges that sowed the seed that blossomed and bloomed into a million untimely graves and sent off to struggle with life a long somber column of widows and crying children and broken firesides?

Was that horror brought about by illiteracy? Was it ignorant men who denied the right of this Government to protect itself? Was it? Was it ignorance and illiteracy that inculcated and instilled in the minds of the people of the South the doctrine of Calhoun? In other words, was there ever a great question of law, a great question of morals, a great question of patriotism against which was hurled the thunderbolts of opposition and that opposition did not come from educated men, men of the colleges, men of the universities, men of the high schools, men of the common schools, men in every walk of educated life, men from the newspaper offices, men from the professions, men from the educated columns of men?

These were the men that sowed those seeds. These were the men that sowed the dragon's teeth from which the crop of horrors was harvested. Who stood by the Government? Who carried the musket? Who held the plow? Who made it possible in all these wars, from the Revolution to this day, that this Government—founded upon intelligence, founded upon the principle of equal rights, founded upon the principle of individual liberty—might by its power at the ballot box, in the halls of legislation, and behind the guns, typical of the great power of government, uphold itself and enforce the principles involved in its organization?

Who were they who in the war against Spain, a war for humanity, a war dictated by the almost unanimous voice of the American people, invaded the armies of our soldiers and sought to promote disruption and crime? Illiterate men, ignorant men, were they? Men who did not understand the Constitution? Who were they who sent forth to the world that Aguinaldo was a second George Washington, and that the result of the election would be the withdrawal of the troops and the disgrace of the American armies? Were they ignorant men? Were the men who fulminated these doctrines and disgraced American manhood—were they illiterate?

But let us go to another phase. This country is threatened in more or less degree by an element which I shall call, for the want of a more comprehensive and condensed term, anarchy, liberty, and license combined—the doctrine of the red flag, the anarchistic doctrine that all governments are wrong, and in favor of organized or perhaps unorganized resistance to law. It is tapping, tapping, tapping at the foundation stone of our Republic. This hideous monster is insidiously pervading our land. In large part its advocates and devotees are coming from the old country. In large part they have been driven from there by reason of their crimes or by reason of their incendiary suggestions and opinions.

They are filling the press of our country, a certain portion of it, with their infamous doctrines. They are sapping and mining like moles underneath our labor system. They are teaching that resistance to government is the law of God. Are these men illiterate men? Are they uneducated men? They read and write. Do they come under the bane of the Maryland statute or the Mississippi constitution? Far from it. They are educated men. They are capable, so far as educational qualification is concerned, to take chairs in our colleges and universities, very many of them. They are posted upon history. They are familiar with the literature of the day. Many of them are men of unequalled education. Their danger consists in their complete education.

Was it an ignorant man who slew the President of France because he was making the Government so popular that it might dethrone anarchy? Was it an ignorant man that drove a knife into the gentle, liberal, and benevolent heart of the Queen of Austria? Was it an ignorant man who slew the King of Italy a few months ago? Was it an ignorant man who sought the life of the Prince of Wales in the railroad station at Brussels? Was it an illiterate man who shot to death Abraham Lincoln in Ford's Theater in the city of Washington? Was Guiteau illiterate and ignorant, or would both those men have been entitled to vote under any of the restrictive phases of any of the legislation upon that subject to which the country has been treated during the last two years?

The answer to all this is that under the restrictive laws of the United States, residence having been acquired, every one of these

this book not having been published, and some of the other manuscripts having been published, it was thought Congress ought to authorize this publication, as it had authorized the others; but as it will be published in any event, even if Congress has it printed, we might as well save the expense and let it be published by private parties.

Mr. BALL of Texas. If that is the purpose of this resolution, I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is made?

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. SCARBOROUGH, for three days, on account of important business.

To Mr. CALDERHEAD, for fifteen days, on account of important business.

And then, on motion of Mr. SHATTUC (at 5 o'clock p. m.), the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James W. Vaughan, administrator of estate of Turner Vaughan, against the United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 4776) to authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors, reported the same without amendment, accompanied by a report (No. 2162); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5434) to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city, reported the same without amendment, accompanied by a report (No. 2163); which said bill and report were referred to the House Calendar.

Mr. JONES of Washington, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4204) relating to grants of land to the Territory and State of Washington for school purposes, reported the same with amendments, accompanied by a report (No. 2164); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 14511) to authorize the relinquishment to the United States of patented lands and claims, and so forth, reported the same with amendment, accompanied by a report (No. 2165); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 14280) providing for national trophy and prizes for rifle competition, reported the same with amendments, accompanied by a report (No. 2168); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIS of Florida, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14380) to authorize the construction of a bridge across Waccamaw River, at Conway, in the State of South Carolina, by Conway and Seashore Railroad Company, reported the same with amendments, accompanied by a report (No. 2169); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. REID, from the Committee on Claims, to which was re-

ferred the bill of the House (H. R. 7864) to pay John F. Lawson \$237.96, balance due him for services as United States mail carrier, reported the same without amendment, accompanied by a report (No. 2159); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4766) granting an increase of pension to James P. McClure, reported the same without amendment, accompanied by a report (No. 2160); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 4306) for the relief of Edward Haines, John Hangland, Wallace L. Reed, W. D. Davis, Martin Monson, Johann Bottjer, and the legal representatives of J. P. Ferwerda, deceased, reported the same with amendment, accompanied by a report (No. 2161); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13790) relating to the San Francisco and Piedmont Railway, a railroad corporation organized and existing under the laws of the State of California, and granting to said corporation the right to use for terminal purposes a part or portion of Yerba Buena or Goat Island, in the Bay of San Francisco, California, reported the same adversely, accompanied by a report (No. 2166); which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 8191) relating to the San Francisco and Piedmont Railway, a railroad corporation organized and existing under the laws of the State of California, and granting to said corporation the right to use for terminal purposes a part or portion of Yerba Buena or Goat Island, in the Bay of San Francisco, California, reported the same adversely, accompanied by a report (No. 2167); which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OVERSTREET: A bill (H. R. 14622) to establish a fish-hatching and fish station in the State of Indiana—to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Connecticut: A bill (H. R. 14623) to establish a division in the Department of Agriculture for the study of the criminal, pauper, and defective classes and the influence of agricultural life upon them—to the Committee on the Judiciary.

By Mr. HOPKINS: A bill (H. R. 14643) to provide for the taking of a census of agricultural statistics in the year 1905 and every tenth year thereafter—to the Select Committee on the Census.

By Mr. RAY of New York: A joint resolution (H. J. Res. 194) providing for the printing of the constitutions of the several States with marginal notes and index—to the Committee on Printing.

By Mr. HEPBURN: A resolution (H. Res. 266) providing for a new rule of the House of Representatives—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ACHESON: A bill (H. R. 14624) for the relief of Louis R. Newlands—to the Committee on War Claims.

By Mr. ALLEN of Kentucky: A bill (H. R. 14625) granting an increase of pension to William H. Castlen, of the Mexican war, now a pensioner under certificate No. 338—to the Committee on Pensions.

By Mr. CLAYTON: A bill (H. R. 14626) for the relief of Mrs. L. E. Boatwright—to the Committee on War Claims.

Also, a bill (H. R. 14627) for the relief of the representatives of the estate of Reuben Dawkins, deceased—to the Committee on War Claims.

By Mr. COOMBS: A bill (H. R. 14628) granting a pension to Timothy Hanlon—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 14629) referring the claim of the legal representatives of William T. Duvall, deceased, against the United States to the Court of Claims—to the Committee on Claims.

By Mr. HAUGEN: A bill (H. R. 14630) granting a pension to Edgar N. Sleeper—to the Committee on Invalid Pensions.

which has received a favorable report from the House Committee on Territories. Wisdom dictates an acceptance of the best form of government that can be had, not a blind devotion to that which is impossible. It bids us not take what we want, but what we can get. The enemies of the Moon bill oppose it, not on the ground that it is a bad, unsafe, inefficient, vicious measure, but because those who have been instrumental in having it framed are not friends of single statehood. They affect to believe that because it is favored by the advocates of double statehood it will ultimately be the means of defeating single statehood.

"These arguments are fallacious. They are not based on reason, but on mere fears and idle suppositions. The enemies of the Moon bill oppose the bill, not because of its provisions, but because its promoters and advocates are double statehooders. But instead of making it more difficult to secure single statehood, the Moon bill, in my opinion, will be the greatest means of securing it. It will, in giving an opportunity to establish counties and county seats, to elect a Delegate to Congress, to provide for county schools, a Territorial legislature, a judiciary, and many other important changes, hasten the time for Congress to bestow upon us the rights of statehood along with Oklahoma. There is no necessity for the Indian Territory to refuse the benefits which the Moon bill offers in order to be absolutely certain of statehood with Oklahoma in three or four years from now.

"Considerable opposition is manifesting itself against the Moon bill because the capital is located in South McAlester. This opposition is inspired by bitter enmity and envy of the Black Diamond City. South McAlester is the logical capital of the Indian Territory, not only on account of its geographical position, but on account of its being the center of population. Such talk will not appeal to any man who is looking out for the best interests of the Indian Territory rather than for some personal hobby.

"I understand that many who are fighting the bill are doing so for the reason that it contains a provision for the Territorial legislature. Their objections are rather queer, in the face of the fact that they are working in the interest of a statehood bill which embraces a legislative feature. Why a legislature under a Territorial form of government is objected to and a legislature under a State form of government is favored I am at a loss to understand. If a legislature can be maintained under statehood it can be maintained under Territorial government. To say that it can not convict one of dealing in absurdities.

"What the people of the Indian Territory want is relief. It is offered in the Moon bill, in opposing which we invite a continuation of the present state of affairs, and in accepting which we summons a new era of prosperity and progress—an era of unprecedented increase in population and commercial wealth."

MOON BILL IN A NUT SHELL.

Schools for the schoolless thousands.
Good roads and bridges.
Elimination of tribal tax.
County government.
Legislature to enact laws that fit local conditions.
Accessibility to records.
A delegate to Congress.
Better laws and more officers to enforce them.
Continuation of present Federal judiciary.
The freeman's sacred privilege—suffrage.
Preparation for statehood.

WETUMKA WANTS A CHANGE—RINGING RESOLUTIONS ADOPTED BY THE COMMERCIAL CLUB OF THAT CITY—APPEAL.

An appeal by the Commercial Club of the town of Wetumka in relation to the establishment of a Territorial form of government in the Indian Territory.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

The Commercial Club of the town of Wetumka, Ind. T., would respectfully and earnestly urge upon you the great necessity of establishing some form of Territorial government for this Territory at this session of Congress.

In support of this appeal we call your attention to the fact that there are now in this Territory half a million people without any form of government except such as the courts may afford; that there are, at the lowest estimate, over 100,000 white children of school age without the slightest opportunities for education; that the people of this Territory are intelligent, industrious, prosperous, and law-abiding; that they are ready, willing, and anxious to bear their share of the burdens of taxation which may be necessary in case such Territorial government is established; that any report, petition, or appeal stating that the people of this Territory are not ready to assume the expense and responsibility of a Territorial government is untrue and a misrepresentation so far as the wishes of this community are concerned.

Passed by unanimous vote of the Commercial Club of Wetumka, Ind. T., April 14, 1902.

H. H. HOLMAN, President.

Attest:
N. T. GILBERT, Secretary.

MORE MASS MEETINGS—CITIZENS MEET AND PASS RESOLUTIONS IN REGARD TO THE MOON BILL.

The following are resolutions adopted at Ada:

Whereas a bill has been introduced in Congress, known as the Moon bill, providing for a Territorial government for Indian Territory; and
Whereas the said bill in its present form provides the most satisfactory relief from the present hardships, inconveniences, and chaotic conditions in the Indian Territory of any measure yet proposed: Therefore, be it

Resolved by the citizens of Ada, Ind. T., in mass meeting assembled, That we fully indorse the said Moon bill, and respectfully urge upon Congress the necessity for its immediate passage without amendment.

Be it further resolved, That a copy of these resolutions be furnished the Ada Star and the Ada News for publication, and that a copy be sent the Hon. JOHN A. MOON, M. C., Washington, D. C.

U. G. PHIPPEN, Chairman.
J. L. SKINNER, Secretary.

ROFF RESOLUTIONS.

Whereas a bill is now pending in the Congress of the United States, commonly known as the Moon bill, which provides relief from the unsatisfactory conditions prevailing in the Indian Territory more than any other proposed; Therefore we, the citizens of Roff, Ind. T., in mass meeting assembled, do hereby resolve—

That we urge upon the Congress of the United States the immediate passage, in its present form and without amendment, of what is known as the Moon bill.

Resolved further, That a copy of these resolutions be furnished to the Hon. JOHN A. MOON, M. C., and that a copy be furnished to the Roff Tribune for publication.

JOE T. ROFF, Chairman.
B. C. KING, Secretary.

KREBS WANTS LEGISLATION—RESOLUTIONS ADOPTED FAVORING TERRITORY OF JEFFERSON BILL.

Whereas the repeated and just claims of 400,000 American citizens, residing in the Indian Territory, demanding that they be relieved of the present anomalous and chaotic condition of affairs existing in this Territory, and that they be provided with a better and more stable form of government, in order that they may enjoy the blessings of civil liberty and local self-government, rights inherently American and vouchsafed to them by the immortal Declaration of Independence, have at last attracted the serious attention of Congress; and

Whereas the Committee on Territories of the lower House of Congress have unanimously approved and recommended for passage a bill known as the Moon bill, which proposed legislation is carefully considered, and is well calculated to cure the many existing evils and abuses prevalent in this country; and

Whereas we believe that said legislation is well adapted to the present needs of the Indian Territory, and that treaty rights and the land titles of the Indians are fully respected, and that said proposed legislation does not conflict with the Indian tribal organizations as secured to them by law, and that the Federal judiciary system is in no wise changed and that the work of the Dawes Commission and the various town-site commissions engaged in work of fulfilling treaty stipulations is in no wise interfered with, curtailed, or abridged; and

Whereas that said proposed legislation provides the necessary means by which more than 97,000 American children of school age in the rural district may have the benefit of free school education, the boon of every American citizen; and

Whereas said legislation furnishes a complete and adequate system of government for the 400,000 intelligent, industrious, enterprising, law-abiding, and patriotic American citizens residing in Indian Territory: Therefore, be it

Resolved, That we, the people of the town of Krebs, Ind. T., in mass meeting duly called and assembled, do hereby approve and indorse said proposed legislation known as the Moon bill and earnestly ask and petition Congress to enact the same into law as early as possible in its present form.

Resolved, That a copy of these resolutions be forwarded to each member of the Committee on Territories of the United States Senate and House of Representatives, and that a copy be furnished to the press for publication.

W. G. OGLESBY, Chairman.
TAL MILLWEE, Secretary.

MASS MEETING AT ALLEN.

Whereas Congressman J. A. MOON, of Tennessee, has introduced in the Congress of the United States a bill providing a Territorial form of government for the Indian Territory; and said Territorial government, we consider, is adapted to the needs of the people and the Commonwealth generally:

Resolved, That we, the citizens of Allen, Ind. T., in mass meeting assembled, do heartily petition and most humbly invoke the Congress of the United States that they pass the Moon bill without amendment.

Mr. SHATTUC. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12199) to regulate the immigration of aliens into the United States, and had come to no resolution thereon.

THE "MORALS OF JESUS OF NAZARETH."

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), Whereas it has been ascertained that the authorities of the National Museum Library have expressed their willingness to permit private parties to publish the volume in said library known as the "Morals of Jesus of Nazareth," by Thomas Jefferson, and that private publishers have expressed their purpose to do so, House concurrent resolution No. 15 of the present Congress is hereby rescinded.

The SPEAKER pro tempore. Is there objection?

Mr. SHATTUC. Mr. Speaker, reserving the right to object, I should like to have the gentleman explain the purpose of the resolution.

Mr. LACEY. Mr. Speaker, at the request of a good many persons interested in the publication, I introduced the resolution which passed here the other day. Subsequent arrangements have been made by which this book will be published privately, and therefore there is no necessity for its publication by Congress.

Mr. WARNOCK. This is to be done without expense to the Government?

Mr. LACEY. Without expense to the Government. That being the case, I simply ask to have the former resolution rescinded.

Mr. SHATTUC. Do we become responsible for its publication?

Mr. LACEY. Not at all. We simply withdraw this resolution, and private parties will publish it without any expense to the Government.

Mr. BALL of Texas. That is true of pretty nearly all the publications that we distribute, is it not, that private parties would publish them?

Mr. LACEY. The reason this was offered was because Congress had the control of the manuscripts in that collection, and

[Nowata Advocate.]

Excessive taxation is the bugaboo now held out by the opponents of the Moon bill. It is the cry of the single-State advocates and is as nonsensical as it is unreasonable. Under the adequate system of government proposed by the Moon bill we would be placed on a basis where we could intelligently prepare for early statehood. The taxes proposed are adequate for our temporary needs and far less burdensome than the taxes that are now being paid by the people of Oklahoma. Why should we be attached to a Territory that has no interests in common with ours when we are big enough and intelligent enough to promulgate and maintain a State government without the aid or consent of a lot of cheap-screw politicians?

[Spiro Gazette.]

In the closing paragraph of a letter received at this office a few days ago from Hon. FRANCIS W. CUSHMAN, a member of the House Committee on the Territories, he says: "I also note your request that I help boost the Moon bill when it comes, up in the House. I know Congressman Moon very well, and I am a member of the House Committee on the Territories. I assure you that I will give this matter my attention."

[Stillwell Standard.]

The Standard is for single statehood for Indian Territory and Oklahoma first, last, and all the time, but it prefers Moonshine to no light at all; and the Moon bill is far preferable, a thousand times over, to the carpetbag rule in this country.

[Sulphur Journal.]

The Territory is getting tired of being made the dumping ground for the political misfits, cranks, and reformers, the flotsam and jetsam of the Republican party, and wants relief and home government. The Moon bill will give us the right to elect our own officers.

[Fort Gibson Post.]

The Moon bill is all right—that is, about as near right as Territorial people can expect, and a great improvement on present conditions. With the Moon bill in operation, the people of this Territory would be in paradise compared with present conditions.

[Checotah Times.]

With home rule, a fair field, and no favors, the Indian Territory will establish a new record of development not previously attained in any part of the civilized world.

[Stillwell Standard.]

The Moon bill is the only halfway decent government offered the Indian Territory by the present Congress, outside of the bill offered to give us statehood with Oklahoma. The other measures are all political schemes of pie-hunters and carpetbaggers to make a lot of soft berths in this country. In saying this and swallowing the Moon bill as the best thing in sight, right now the Standard is forced to remark that it can eat crow, but danged if it bankers after it.

[Spiro Gazette.]

What the people want is relief from their downtrodden, helpless condition; relief from our inability to own our homes, educate our children, improve our towns, transact business, elect our officers, enact our own laws, and a thousand and one other things needed. The Moon bill furnishes the relief needed, and unless this miserable gang of chronic office-seekers and heelers can bring a strong influence to bear upon the Senate we may expect to hear of the passage of the Moon bill in the very near future. Then for the grandest ratification ever heard of.

[Boswell City News.]

We are highly in favor of the Moon bill in all its principles of legislation, and we will always be in favor of any bill passed for the relief of the people of the Indian Territory, but we do not like the change of name to that of Jefferson. We honor and revere the name of that noble statesman, and we desire that his memory be held sacred for future generations, but in the name of this, the last small refuge donated to the former possessors of nearly half a confiscated continent, we would commemorate the name of the red man. Call it Tusahoma (Red Warrior) and let the ages to come see the true picture, implied in a name of a race that could not exist long in the confines of civilization, and whose original cast was faded out by the greed of the white man.

[Hugo News.]

It is a lamentable fact that there are a few papers in the Territory that prefer to have matters remain as they are rather than become a Territory with a Territorial form of government without some proviso for an ultimate attachment to Oklahoma. We can get along a whole lot better without Oklahoma than with it, but that fact does not seem to make any difference. However, the majority of the papers are in favor of a change of some kind, although it may not embody all that we desire, and we suppose that these papers reflect the sentiments of the people. If this be true, there should be no difficulty in securing some sort of relief in the way of a Territorial form of government, and the Lord knows we need it.

[Tahlequah Arrow.]

The Moon bill has been favorably reported by the House Committee on Territories, and as it stands it is by far the most desirable relief measure ever offered in Congress for Indian Territory. It may be a little repugnant to the single-staters, but it is free from the taint of carpetbagism, and has already received the approval of the press of the Territory.

[Ada News.]

The Moon bill is now being ventilated by the press of the two Territories. Its merits and demerits are set forth in such a way that no one can remain on the fence. You are either for it or against it. As for us, we should like to see it become a law.

[Hugo News.]

The call to "get together" on a bill giving us a Territorial form of government is being generally observed by Indian Territory papers—but who in thunder is going to get Walker together?

[Miami Record.]

Nearly everybody in the Territory is Moon-eyed when it comes to a Territorial form of government.

[Denison Herald.]

"Lo" is not worried about names, but he is worried about conditions. If Congress will give the Indians a Territorial form of government, they will accept most any old name.

Every commercial club or other body in the Indian Territory should endorse the Moon bill. It is one of the best measures ever introduced for the benefit of the people of the Indian Territory.

[Antlers American.]

It is evident that the dissension in the Territory will be a great barrier to legislation for our "relief" passing the Senate. That body has openly

charged that the different kinds of legislation asked for is evidence that we want something but we do not know what. The Indian Territory people know one thing to a certainty—they have had a good and plenty of departmental rule—government by "hand out" as it were—and will welcome a change. It now appears since the declaration of that kaleidoscopic body that it is up to the Territory people to agree on what they want or stay in the pillory until another session. Congress has decreed that no kind of statehood is coming this session. That eliminates the issue which has divided the Territory, and every man in it should stand up and make himself heard.

The Committee on Territories has recommended the modified Moon bill to the House, and there seems no doubt but that it will pass the House. The danger will be in the Senate, and the Territory should bring all possible pressure on that body. It is the final lift, and if it fails we fall back into the old rut for two more years at least. The Moon bill is the most liberal of the proffered legislation. We can get that by united effort of the press and different organizations. Regardless of party affiliations or former efforts for statehood, the relief of 500,000 people demands a solid front.

The Senate openly says "we do not know what we want." Let us take the hint and agree on the "next best" to statehood, and convince them that while we differ on homeopathy and allopathy we never doubted we had the disease.

PROPOSED TERRITORY OF JEFFERSON.

[Globe-Democrat.]

By a unanimous vote the House Committee on Territories has decided to recommend the organization of the Territory of Jefferson, now Indian Territory. The name selected could not be improved. It would honor a statesman whose national achievements deserve to be commemorated in the list of States, and also give his name to a part of the Louisiana purchase—a most felicitous idea. And an Territory needs the attention and speedy action of Congress. Its development has been surrounded with many peculiar difficulties, due to its exceptional status under old tribal treaties. In the course of time these conditions have become a burden and hindrance to all the inhabitants of the Territory, regardless of race lines. For one thing, public education is paralyzed, and when a great number of children in an American community are growing up without public schools the case is simply intolerable.

Sensible members of the various tribes in Indian Territory want their children to be educated and also know that the present confused and insufficient government is hurtful to all its citizens alike. Provision is made in the bill approved by the House committee to adjust, in a spirit of fairness, the questions upon which treaty issues have a proper bearing. Details ought to be arranged in a conciliatory manner. The main point is to get away from the present deadlock and create a Territorial form of government, able to meet the demands of intelligent progress. Every person in the Territory will be benefited by the proposed new order of things, which will be directed by a legislature chosen by the inhabitants themselves. The people of the country in general are ready to say: "All hail to Jefferson Territory."

THE MOON BILL.

[Denison Herald.]

The South McAlester Capital, in urging the people to go to work for the Moon bill providing for a Territorial form of government for Indian Territory, says that the Congressmen complained that the trouble Congress has in doing anything for the Indian Territory is caused by a lack of knowledge of what the people of the Territory want. They ask for so many things that the minds of Congressmen are confused, and they can not figure out just what the people want.

It appears that in the very nature of things there should be no confusion in the minds of Congressmen as to what the people really want.

The people have spoken, and they have said every time they have spoken that what they wanted is a form of local self-government.

That was the cry of the Oklahoma-Indian Territory convention at Muskogee.

That was the cry of the "Double statehood" convention at Muskogee.

Both conventions expressed a desire for a form of local self-government as soon as in the wisdom or discretion of Congress the people were ready for it. That is, the double statehooders asked that, but the single Staters wanted a local self-government right now, immediately, without waiting for the tedium of winding up Indian affairs, which they said might be done as well, as safely, and speedily under a form of State or Territorial government as under the present arrangement.

Every organization, every convention that has spoken on Territorial matters, has stated that what the country needs and wants is a form of local self-government.

That is what the people want. What are Congressmen and Senators for if they are not elected for the purpose of going into the meat of things and producing results? The statesman is elected for office because the people have confidence that he may select the best form of law or government that may be had. The Congressman who applies his attention to a plan of local self-government for the Territory, and secures the passage of a bill, is entitled to the thanks and praise of the people of that country.

The Moon bill is a good measure, on the whole, and having been approved by the committee, it stands a good show to pass. It is well enough for the people to go to work to secure its passage, and if it is secured, it will do more to advance the Territory in every conceivable sort of prosperity than anything that the Territory has had since it became a part of the map of the Southwestern country.

[Antlers American.]

S. C. Treadwell, of Tishomingo, is out in a strong letter urging the people of the Chickasaw Nation to meet in the towns and neighborhoods in the nation and thoroughly discuss the Moon bill and indorse it. It would be a good way to get Congressional action.

FAVORS THE MOON BILL—VIEWS OF AN INDIAN CONCERNING LEGISLATION FOR THE TERRITORY.

[Ardmore special to the Dallas News.]

The Moon bill, providing for a Territorial form of government, is being advocated by the leading papers of the Indian Territory, which are urging the people to accept the proposed legislation. With some changes in the bill, it would be acceptable to the noncitizens.

The Indians would rather see the lands allotted before Congress passes a measure of this kind, although at the Atoka meeting the Indians were silent on the proposition of Territorial government.

F. F. Fox of this city, who is an Indian, speaking of the Moon bill, said to the News correspondent:

"Those people who are still agitating single statehood for the Indian Territory are fighting for a hopeless cause, as far as the present is concerned. Not only that, but they are retarding the chances of getting relief from the present anomalous, unsatisfactory conditions provided for by the Moon bill,

[Checotah Times.]

The passage of the Moon bill will be welcomed by Territorial people generally as a long step forward. We believe a majority of the people interested will be very well satisfied with its provisions, realizing that it gives the best form of government that can be expected by Territorial people under present conditions. The greatest concern just now is that it may be held up in the Senate and not reach a final passage during the present session. It seems to us that such tactics by either branch of Congress, in the face of existing circumstances, would be little short of criminal, and it is certainly to be hoped that the pleading going up from this Territory for some remedial legislation will be heeded and the necessary relief be granted speedily.

[Tulsa Democrat.]

The amended Moon bill, giving the Indian Territory a Territorial form of government, is acceptable to all factions in the former statehood fight. Until a few days ago there was a division of sentiment regarding legislation that would remedy present conditions, but on the refusal of the House Committee on the Territories to report favorably on either single or double statehood for Indian Territory and their substitution of the Moon bill all former convictions were cast aside and a united campaign is being waged for the passage of the Moon measure.

Thousands of letters are being written by people all over the Territory to their former Congressmen and Senators pleading for the recognition of Indian Territory. No one but a resident of the Territory can appreciate the possibility of release from departmental rule. Business circles are feeling the pressure very strongly, and there are few who are not in accord with acceptance of any legislation that will release the Territory from bondage.

In several towns public meetings have been called to draft memorials to Congress, and the papers are filled with reasons for recognition. The impression prevails that the House will pass the Jefferson Territory bill without much debate and with a few amendments, but the Senate is expected to make a fight on the measure.

CHOCTAW NATION.

[Durant Citizen.]

One of the most interesting topics agitating the minds of the Indian Territory people this week is the Moon bill providing for a Territorial form of government. The bill has been introduced in the House, referred to the Committee on the Territories, indorsed by that committee, and referred back to the House with recommendation that it become a law. It is now up to the House as to what it shall do with it. It is confidently believed by some that the House will pass it; but next, what will the Senate do? The people of this Indian Territory are breathlessly waiting to applaud the act of Congress that will bring relief.

[Hugo News.]

Eternal striving for the unattainable is wasted energy; therefore, let us direct all our efforts for the betterment of our present condition toward something we can get. There is no doubt that the present Congress will give us a half loaf—if we cease trying to capture the entire bakery. The Moon bill just at present seems to have the best chance of becoming a law, especially if it is properly urged by the residents of the Territory. Let us take what we can get until something better is offered.

[Spiro Gazette.]

The Moon bill will be very acceptable to the people of Indian Territory, and the people will always remember Congressman MOON as a friend of Indian Territory.

[Ardmore Appeal.]

There is no possible chance of getting any kind of statehood at this session of Congress. Even the persistent advocates of statehood, both single and double, have given up their hopes of securing the passage of a statehood bill.

Such being the facts, then the people should take the next best thing, the Moon bill, which provides a Territorial form of government for the Territory. However, they can not get the bill through without hard work. While it is true that the Moon bill has been indorsed by the House Committee on Territories and that it will undoubtedly be passed by the House, yet there is a fight ahead in the Senate. The bill will greatly relieve the conditions here and will place us several milestones nearer the statehood goal.

It provides for a skeleton form of territorial government. It gives us governor and other territorial officers besides a Delegate to Congress and a legislature, which shall be composed of 15 members in the upper and 33 in the lower house. According to its provisions the present laws and acts of the Indian tribal governments shall be repealed and the collection of permit taxes prohibited. On a whole, this bill is the best piece of legislation which we can hope to get, and we had better get it. Write to the members of Congress and urge them to pass the bill. Don't delay. Write to-day. Here is an opportunity for us to take advantage of. Shall we do it?

[Choctaw Gazette.]

If we can not get a "whole loaf" we had better take what is offered. Visions of statehood, like mirage, is always just ahead of us. If we can get a territorial form of government, however light, it is paving the way to something better. Under existing conditions the wheels of progress are clogged, enterprise crippled, and golden opportunities slipping by. There is no reason why this Territory, with its vast undeveloped mineral resources, its farming, grazing, and timber lands, should not become one of the brightest in the Southwest. It is the duty of every one to use their influence to bring about these conditions. Politics should be put out of sight and all join hands for a measure that will bring about the greatest good to the greatest number.

[Marietta Monitor.]

As the House Committee on Territories has recommended the modified Moon bill, every citizen of the Indian Territory who desires a change from our present form of government should go to work in earnest and urge its passage in the Senate. There is little doubt that the measure will pass the House by an overwhelming majority, and the only danger of it becoming a law is in the Senate. No sane man can longer expect statehood at this time; consequently we should all strive to secure the next best thing to it, which is a full-fledged form of Territorial government, the same that is provided for by the Moon bill.

[Chickasha Democrat.]

Mr. MOON, in his Jefferson bill, names South McAlester as the capital. Anything will do for the chief city so we get a change in affairs.

[Sulphur Journal.]

The people of the Territory are ready and willing to accept the Moon bill, and were it left to a vote of the people it would meet with almost unanimous indorsement.

[Spiro Gazette.]

It is thought that Congress will adjourn about June 15. The Moon bill is about the most important measure that body has on hand now, and unless it

runs up against something more substantial than the Soper-Quarles bill it will go through both Houses in less time than it took Nancy Hanks to win her race.

[Vinita Chieftain.]

The Moon bill provides a partially satisfactory introduction to future enfranchisement. Congress evidently believes in acquainting the people of the Territory with liberty in gradual doses; but the little taste will be very, very palatable. The only opposition to the Soper home bill comes from the 400,000 residents of the Indian Territory, who want to know who gave him authority to barter their liberties for a carpetbag machine.

[Webber Falls Monitor.]

A Territorial government for the Indian Territory at the present session of Congress seems to be a possibility. Many think that is the thing to do. Statehood would entail a very heavy expense on an undeveloped country and unsettled conditions. Under the proper Territorial incorporation the people in a short while could launch the proud ship of a great State.

[Pryor Creek Clipper.]

Much has been said in the past of the Indian Territory's wonderful progress. We are transforming a waste into a busy province. Persons seeking investments in property or business locations should investigate the opportunities that are remaining undiscovered in this section. A vast domain of land so rich in natural wealth is yawning to be producing profitable grain, not weeds. The Moon bill is the only restorer at present for it.

[Vinita Chieftain.]

The absurd argument that all of the Territories are clamoring for statehood is used by the opponents of the Moon bill to prove that a Territorial form of government is unsatisfactory. The American people are so constituted that nothing less than complete self-government will ever satisfy them. The Territorial government is the natural stepping-stone to statehood and was never intended to be a permanent condition. The Territory of Jefferson will make itself heard on the statehood question when the appointed time arrives.

[Checotah Times.]

Those who believe that the Moon bill would afford the Territory temporary relief from the galling conditions that now prevail, and that it would be a stepping-stone to statehood, not a hindrance, should espouse their belief and throw their influence in support of its passage. The Times sincerely believes that the benefits to be derived from the enactment of this bill would be a hundredfold outweigh the added burden of taxation that it would impose. For this reason we believe that no community can afford to place obstacles in the way of the passage of this legislation, more especially when opposition is clearly evoked from purely selfish or personal motives.

[Coalgate Courier.]

Quite a number of papers are condemning the South McAlester Capital for so actively championing the Moon bill—the relief bill for Indian Territory. We are unable to see the objectionable features of the Moon bill that seems to be so prominent with these calamity howlers. We say give us the Moon bill and give it to us now. The Moon bill is far preferable to anything else that is on the list of "probables" for the settlement of the existing complications in Indian Territory. The Capital expects South McAlester to be benefited by the passage of this bill, but we feel sure that this is not the only motive that prompts the Capital to fight for the passage of the bill. It will probably benefit South McAlester more than any other town, but then every town can not expect to be the seat of the government, and therefore should not condemn the bill because it does not name their particular town. Let the Moon bill come, it is just what we want.

[Chickasha Democrat.]

Say, Brother Walker, do not make any fight on the Moon bill. It is not what we want, but it will be one step toward statehood.

[Marietta Monitor.]

With a Territorial form of government such as is provided for in the Moon bill the masses of the people of the Chickasaw Nation will soon be prosperous and happy.

[Lehigh Leader.]

The Moon bill is the only measure that has ever been introduced in Congress that has no element of selfishness, politics, or favoritism. It is the fairest measure that has ever been introduced for the relief of the people of the Indian Territory, and has met with the approval of the people from one side of the Territory to the other.

It provides for a form of government to be established by the voice of the people, for a Delegate in Congress, for schools, for public roads and improvements, and in fact about everything that can be done under the present state of affairs. It is urged by a few people that we want no form of government until the Territory comes in as a State with Oklahoma. But it seems this can not be until the allotment question is completed, and with no chance to settle the citizenship question, it seems certain that the four years yet allowed in the Atoka agreement for the winding up of the tribal governments will be consumed before statehood is possible. At the present rate of determining citizenship contests, it seems possible to make a greatly developed country of this territory under the provisions of the Moon bill long before it can be made a State and titles be given or tribal governments dissolved.

[Coalgate Courier.]

The Ardmoreite says that it doesn't want a Territorial form of government, but wants this country to remain as it is until we have statehood. Just think how unwise such a remark is. Every schoolboy knows that such a course is impracticable and without precedent. A Territorial form of government is the stepping-stone to statehood. Just think of any intelligent person being opposed to a Territorial form of government. The Ardmoreite must undoubtedly know better than this, but of course it is in favor of continuing departmental rule in Indian Territory for reasons known by all, or else it is opposing a Territorial form of government because it thinks the capital will be located at South McAlester. Ardmore is on a direct railroad line from Coalgate, and it might be that a compromise could be made by having the capital located at Coalgate. We are sorry to know that any paper would oppose local self-government which promises to give to the thousands of children in Indian Territory school privileges.

[Cherokee Wigwam.]

The Moon bill, which, if it becomes a law, will give the Territory a home government embracing many of the rights of statehood, is universally favored by those who are not interested in making it a tool for the accomplishment of some scheme. This bill meets the fullest approbation of the people of this section. Let it come. It will be warmly welcomed.

Charles Sumner died, or whether all who sit here now put together, have done a more important single service to the country than he did in securing the passage of the resolution which pledged us to deal with Cuba according to the principles of the Declaration of Independence.

You also, my imperialistic friends, have had your ideals and your sentimentalities. One is that the flag shall never be hauled down where it has once floated. Another is that you will not talk or reason with a people with arms in their hands. Another is that sovereignty over an unwilling people may be bought with gold. And another is that sovereignty may be got by force of arms, as the booty of battle or the spoils of victory.

What has been the practical statesmanship which comes from your ideals and your sentimentalities? You have wasted six hundred millions of treasure. You have sacrificed nearly 10,000 American lives—the flower of our youth. You have devastated provinces. You have slain uncounted thousands of the people you desire to benefit. You have established reconcentration camps. Your generals are coming home from their harvest, bringing their sheaves with them, in the shape of other thousands of sick and wounded and insane to drag out miserable lives, wrecked in body and mind. You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture. Your practical statesmanship, which disdains to take George Washington and Abraham Lincoln or the soldiers of the Revolution or of the civil war as models, has looked in some cases to Spain for your example. I believe—nay, I know—that in general our officers and soldiers are humane. But in some cases they have carried on your warfare with a mixture of American ingenuity and Castilian cruelty.

Your practical statesmanship has succeeded in converting a people who three years ago were ready to kiss the hem of the garment of the American and to welcome him as a liberator, who thronged after your men when they landed on those islands with benediction and gratitude, into sullen and irreconcilable enemies, possessed of a hatred which centuries can not eradicate.

The practical statesmanship of the Declaration of Independence and the Golden Rule would have cost nothing but a few kind words. They would have bought for you the great title of liberator and benefactor, which your fathers won for your country in the South American Republics and in Japan and which you have won in Cuba. They would have bought for you the undying gratitude of a great and free people and the undying glory which belongs to the name of liberator. That people would have felt for you as Japan felt for you when she declared last summer that she owed everything to the United States of America.

What have your ideals cost you, and what have they bought for you?

1. For the Philippine Islands you have had to repeal the Declaration of Independence.

For Cuba you have had to reaffirm it and give it new luster.

2. For the Philippine Islands you have had to convert the Monroe doctrine into a doctrine of mere selfishness.

For Cuba you have acted on it and vindicated it.

3. In Cuba you have got the eternal gratitude of a free people.

In the Philippine Islands you have got the hatred and sullen submission of a subjugated people.

4. From Cuba you have brought home nothing but glory.

From the Philippines you have brought home nothing of glory.

5. In Cuba no man thinks of counting the cost. The few soldiers who came home from Cuba wounded or sick carry about their wounds and their pale faces as if they were medals of honor. What soldier glories in a wound or an empty sleeve which he got in the Philippines?

6. The conflict in the Philippines has cost you \$600,000,000, thousands of American soldiers—the flower of your youth—the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

Another price we have paid as the result of your practical statesmanship. We have sold out the right, the old American right, to speak out the sympathy which is in our hearts for people who are desolate and oppressed everywhere on the face of the earth. Has there ever been a contest between power and the spirit of liberty, before that now going on in South Africa, when American Senators held their peace because they thought they were under an obligation to the nation in the wrong for not interfering with us? I have heard that it turned out that we had no great reason for gratitude of that kind. But I myself heard an American Senator, a soldier of the civil war, declare in this Chamber that, while he sympathized with the Boers, he did not say so because of our obligation to Great Britain for not meddling with us in the war with Spain. Nothing worse than that was said of us in the old slavery days. A great English poet before the civil war, in a poem entitled "The Curse," taunted us by say-

ing that we did not dare to utter our sympathy with freedom so long as we were the holders of slaves. I remember, after fifty years, the sting and shame I felt in my youth when that was uttered. I had hoped that we had got rid of that forever before 1865.

Ye shall watch while kings conspire
Round the people's smouldering fire,
And, warm for your part,
Shall never dare, O, shame!
To utter the thought into flame
Which burns at your heart.

Ye shall watch while nations strive
With the bloodhounds—die or survive—
Drop faint from their jaws,
Or throttle them backward to death,
And only under your breath
Shall ye bless the cause.

Sometimes men are affected by particular instances who are not impressed by statistics of great numbers.

Sterne's starling in its cage has moved more hearts than were ever stirred by census tables.

Let me take two examples out of a thousand with which to contrast the natural result of the doctrine of your fathers with yours.

I do not think there ever was a more delightful occurrence in the history of Massachusetts since the Puritans or the Pilgrims landed there, than the visit to Harvard two years ago of the Cuban teachers to the Harvard Summer School. The old University put on her best apparel for the occasion. The guests were manly boys and fair girls, making you think of Tennyson's sweet girl graduates, who came to sit at the feet of old Harvard to learn something which they could teach to their pupils, and to carry back to their country and teach their own children undying gratitude to the great Republic. It was one of the most delightful lessons in all history of the gratitude of a people to its liberator, and of the affection of the liberator-Republic to the people it had delivered. Was there ever a more fitting subject for poetry or for art than the venerable President Eliot, surrounded with his staff of learned teachers and famous scholars, the foremost men in the Republic of letters and science, as he welcomed them, these young men and women, to the delights of learning and the blessings of liberty?

Contrast this scene with another. It is all you have to show, that you have brought back, so far, from the Philippine Islands. You have no grateful youth coming to sit at your feet. You do not dare to bring here even a friendly Filipino to tell you, with unfettered lips, what his people think of you, or what they want of you. I read the other day in a Nebraska paper a terrible story of the passage through Omaha of a carload of maniacs from the Philippine Islands.

The story, I believe, has been read in the Senate. I telegraphed to Omaha to the editor of a paper, of high reputation; I believe, a zealous supporter of the policy of Imperialism, to learn if the story was authentic. I am told in reply, and I am glad to know it, that the picture is sensational and exaggerated, but the substantial fact is confirmed that that load of young soldiers passed through that city lately, as other like cargoes have passed through before, maniacs and broken in mental health as the result of service in the Philippine Islands.

It is no answer to tell me that such horrors exist everywhere; that there are other maniacs at St. Elizabeth, and that every State asylum is full of them. Those unhappy beings have been visited, without any man's fault, by the mysterious Providence of God, or if their affliction comes from any man's fault it is our duty to make it known and to hold the party guilty responsible. It is a terrible picture that I have drawn. It is a picture of men suffering from the inevitable result which every reasonable man must have anticipated of the decisions made in this Chamber when we elected to make war for the principle of despotism instead of a policy of peace, in accordance with the principles of the Declaration of Independence.

Mr. President, every one of these maniacs, every one of the many like freights of horror that come back to us from the Philippine Islands, every dead soldier, every wounded or wrecked soldier was once an American boy, the delight of some American home, fairer and nobler in his young promise, as we like to think, than any other the round world over. Ah! Mr. President, it was not \$20,000,000 that we paid as the price of sovereignty. It was the souls of these boys of ours that entered into the cost. When you determined by one vote to ratify the Spanish treaty; when you determined by one vote to defeat the Bacon resolution; when you declared, in the McEnery resolution, that we would dispose of that people as might be for the interest of the United States; when the Senator from Wisconsin said we would not talk to a people who had arms in their hands, although they begged that there should be no war, and that we would at least hear them; when some of you went about the country declaring that the flag never should be hauled down where it once floated, you did not know, because in your excitement and haste